

SENATE BILL 2520

By Haile

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 53, relative to restrictions on the purchase of certain medicines.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 4, is amended by adding the following language as a new, appropriately designated section:

(a) As used in this section:

(1) "Acceptable form of identification" means a state-issued driver license, a state-issued identification card, a valid passport, or a valid military identification; and

(2) "Dextromethorphan" means the dextrorotatory isomer of 3-methoxy-N-methylmorphinan, including its salts, but not including its racemic or levorotatory forms.

(b) It shall be an offense, punishable by a fine not exceeding two hundred fifty dollars (\$250), for any person, corporation, or retail distributor to knowingly supply, deliver, or give possession of a drug, material, compound, mixture, preparation, or substance containing any quantity of dextromethorphan to a person under eighteen (18) years of age in an over-the-counter sale without a prescription.

(c) It shall be prima facie evidence of a violation of this section if the person, corporation, or retail distributor making the sale does not require and obtain an acceptable form of identification from the purchaser, unless from the purchaser's outward appearance the person making the sale would reasonably believe the purchaser to be thirty-five (35) years of age or older.

(d) Proof that a person, corporation, or retail distributor, demanded, was shown, and acted in reasonable reliance upon an acceptable form of identification, shall be a defense to any criminal prosecution under this section.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.