

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H2/23/15 H2/27/15
A Bill

HOUSE BILL 1292

By: Representatives Leding, Ballinger, Baltz, Bell, Bentley, Brown, Copeland, Cozart, Deffenbaugh, Della Rosa, C. Douglas, Farrer, C. Fite, L. Fite, V. Flowers, M. Gray, Harris, Hickerson, G. Hodges, Holcomb, House, Ladyman, Lampkin, Lemons, Lowery, D. Meeks, Murdock, B. Overbey, Petty, Richmond, Scott, B. Smith, Sullivan, Tosh, Vaught, *Lundstrum, Richey*

By: Senators Bledsoe, Caldwell, E. Cheatham, J. Cooper, J. English, Files, Flippo, S. Flowers, J. Hendren, Hester, Irvin, B. Johnson, G. Stubblefield, Teague, J. Woods, *Elliott*

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING THE REAL-TIME
ELECTRONIC LOGBOOK; TO DECLARE AN EMERGENCY; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND THE LAW REGARDING THE REAL-TIME
ELECTRONIC LOGBOOK; AND TO DECLARE AN
EMERGENCY.

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

*SECTION 1. Arkansas Code § 5-64-1106 is amended to read as follows:
5-64-1106. Real-time electronic logbook.*

*(a)(1)(A) ~~Subject to available funding, on On or before ~~May 15, 2008~~~~
September 4, 2015, the Arkansas Crime Information Center shall provide
pharmacies in this state access to a real-time electronic logbook for the
purpose of entering into the real-time electronic logbook any transaction
required to be reported by § 5-64-1104.*

*(B) The real-time electronic logbook shall be installed,
operated, and maintained free of any one-time or recurring charge to a
pharmacy or law enforcement agency.*

(C) The real-time electronic logbook shall be able to



communicate in real time with similar systems operated in other states and similar systems containing information from more than one (1) state.

(2) The real-time electronic logbook shall have the capability to:

(A) Calculate both state and federal ephedrine, pseudoephedrine, or phenylpropanolamine purchase limitations;

(B) Prevent the completion of a sale of a product containing ephedrine, pseudoephedrine, or phenylpropanolamine that would violate state or federal law regarding the purchase of a product containing ephedrine, pseudoephedrine, or phenylpropanolamine;

(C) Generate a stop sale alert that shall be a notification to the pharmacy that completion of the sale would result in a seller or purchaser violating the sales quantity limits established by state or federal law; and

(D) In real-time, block retail sales of products containing ephedrine, pseudoephedrine, and phenylpropanolamine based on sales data contained in systems in other states.

(b)(1) The center may contract with a private vendor to implement this section.

(2) If the center contracts with a private vendor under subdivision (b)(1) of this section, the vendor of the real-time electronic logbook shall forward state transaction records in the real-time electronic logbook to the center on a daily basis and provide real-time access to law enforcement agencies to real-time electronic logbook information through an online portal.

(3) In selecting a vendor for the real-time electronic logbook, the Arkansas Crime Information Center shall consider the cost of the real-time electronic logbook as forty percent (40%) or more.

(c) The center shall not charge a pharmacy any fee:

(1) To support the establishment or maintenance of the real-time electronic logbook; or

(2) For any computer software required to be installed as part of the real-time electronic logbook.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the State of Arkansas has

implemented its own state-operated real-time electronic logbook for pseudoephedrine sale tracking that cannot share data from this system with other states; that a real-time electronic logbook with the ability to be shared across state lines could eliminate the ability of individuals to travel from state to state to purchase pseudoephedrine for the purpose of manufacturing methamphetamine; and that this act is immediately necessary because this act could save the lives of citizens of Arkansas by reducing or eliminating domestic manufacturing of methamphetamine and may spare thousands of Arkansans from the devastation caused from methamphetamine addiction. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Leding