

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

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H3/19/25

A Bill

HOUSE BILL 1782

By: Representatives Hudson, Vaught, D. Garner, Bentley, K. Brown, Cavanaugh, Clowney, Crawford, Ennett, Gonzales Worthen, J. Mayberry, McCullough, T. Shephard, Springer

By: Senator J. Scott

For An Act To Be Entitled

AN ACT TO PROHIBIT OVER-THE-COUNTER DIET PILLS FROM BEING SOLD, TRANSFERRED, OR OTHERWISE FURNISHED TO A PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT OVER-THE-COUNTER DIET PILLS FROM BEING SOLD, TRANSFERRED, OR OTHERWISE FURNISHED TO A PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE.

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

SECTION 1. Arkansas Code Title 20, Chapter 56, Subchapter 1, is amended to add an additional section to read as follows:

20-56-101. Prohibition on over-the-counter diet pills to a person under eighteen years of age.

(a) As used in this section:

(1)(A) "Over-the-counter diet pills" means a class of drugs that is labeled and marketed under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 301 et seq., as existing on January 1, 2025, for the purpose of achieving weight loss that is lawfully sold, transferred, or otherwise furnished without a prescription.

(B) "Over-the-counter diet pills" includes a product marketed with a drug facts panel under federal regulations that contains either approved drug ingredients or ingredients deemed adulterated under 21



U.S.C. § 342, as existing on January 1, 2025, or both; and

(2) "Retail establishment" means a vendor that:

(A) In the regular course of business, sells over-the-counter diet pills at retail directly to the public, including without limitation a pharmacy, grocery store, other retail store; or

(B) Accept orders placed by mail, telephone, electronic mail, internet website, online catalog, or software application.

(b) A retail establishment shall not sell, transfer, or otherwise furnish over-the-counter diet pills to a person who is under eighteen (18) years of age.

(c) A retail establishment shall request valid identification from a person who attempts to purchase over-the-counter diet pills if that person reasonably appears to the retail establishment to be under eighteen (18) years of age.

(d) The Department of Health may promulgate rules to implement this section that may include determinations as to which over-the-counter diet pills are subject to the requirements of this section.

(e)(1) A violation of this section is a deceptive and unconscionable trade practice under § 4-88-107 and is subject to the penalties, remedies, and enforcement provisions under the Deceptive Trade Practices Act, § 4-88-101 et seq.

(2) In addition to the penalties under subdivision (e)(1) of this section, the department shall impose a fine not to exceed two thousand dollars (\$2,000) upon a retail establishment that violates this section.

/s/Hudson