

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 668**

Introduced by Flood, 19.

Read first time January 19, 2011

Committee: Judiciary

A BILL

1 FOR AN ACT relating to the Uniform Controlled Substances Act; to  
2 amend section 28-456.01, Revised Statutes Cumulative  
3 Supplement, 2010; to change penalties relating to the  
4 purchase, receipt, or acquisition of pseudoephedrine or  
5 phenylpropanolamine; and to repeal the original section.  
6 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 28-456.01, Revised Statutes Cumulative  
2 Supplement, 2010, is amended to read:

3                   28-456.01 (1) No person shall purchase, receive, or  
4 otherwise acquire, other than wholesale acquisition by a retail  
5 business in the normal course of its trade or business, any drug  
6 product containing more than three and six-tenths grams of  
7 pseudoephedrine base or three and six-tenths grams of  
8 phenylpropanolamine base during a twenty-four-hour period unless  
9 purchased pursuant to a medical order. Any person who violates this  
10 section shall be guilty of an infraction as defined in section  
11 29-431. a Class IV misdemeanor for the first offense and a Class III  
12 misdemeanor for each subsequent offense.

13                   (2) No person shall purchase, receive, or otherwise  
14 acquire, other than wholesale acquisition by a retail business in the  
15 normal course of its trade or business, any drug product containing  
16 more than nine grams of pseudoephedrine base or nine grams of  
17 phenylpropanolamine base during a thirty-day period unless purchased  
18 pursuant to a medical order. Any person who violates this section  
19 shall be guilty of a Class IV misdemeanor for the first offense and a  
20 Class III misdemeanor for each subsequent offense.

21                   Sec. 2. Original section 28-456.01, Revised Statutes  
22 Cumulative Supplement, 2010, is repealed.