SENATE BILL REPORT SB 5110

As of January 12, 2001

Title: An act relating to limiting the sale of ephedrine products.

Brief Description: Prohibiting ephedrine sales.

Sponsors: Senators Kastama, Winsley, Franklin, Hargrove, Regala and Oke.

Brief History:

Committee Activity: Judiciary: 1/15/01.

SENATE COMMITTEE ON JUDICIARY

Staff: Aldo Melchiori (786-7439)

Background: Ephedrine is a precursor drug that can be used to manufacture controlled substances. Sale, transferring, or furnishing a precursor drug, with knowledge or intent that it will be used to unlawfully produce a controlled substance is an unranked B felony. Receipt of these drugs with intent to unlawfully manufacture a controlled substance is also an unranked B felony. Possession of ephedrine or pseudoephedrine with intent to manufacture methamphetamine is a B felony ranked at level VIII on the sentencing grid (21-27 months for a first offense). In August 2000, the Pierce County Council passed a proclamation requesting the Legislature to enact statewide legislation limiting the sale of ephedrine. That same month, the Tacoma City Council passed an ordinance limiting the sale and possession of more than three packages or three grams of ephedrine compounds and making violations a misdemeanor.

Summary of Bill: Products containing ephedrine may only be sold in packages with counts of 48 or less. It is a gross misdemeanor for a retailer to knowingly sell, within a 24 hour period, more than three packages of 48 count ephedrine products or three packages of ephedrine products containing more than three grams of ephedrine per package. It is a gross misdemeanor for a customer to purchase or acquire, within a 24 hour period, more than three packages of 48 count ephedrine products or three packages of ephedrine products containing more than three grams of ephedrine per package. It is also a gross misdemeanor for a person to possess more than 15 grams of ephedrine.

Ephedrine sold, purchased, or possessed by prescription is not subject to the count or weight restrictions. Properly registered shopkeepers purchasing or possessing ephedrine are also not subject to the count or weight restrictions.

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Appropriation: None.

Fiscal Note: Requested on January 11, 2001.

Effective Date: Ninety days after adjournment of session in which bill is passed.

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