

An Act

HOUSE BILL 20-1050

BY REPRESENTATIVE(S) Hooton and Larson, Benavidez, Buckner, Esgar, Exum, Liston, Valdez A.;
also SENATOR(S) Ginal and Tate, Bridges, Cooke, Crowder, Gonzales, Priola, Rankin, Rodriguez, Smallwood, Sonnenberg, Winter, Woodward, Garcia.

CONCERNING THE DISTRIBUTION OF DRUGS BY OTHER OUTLET PHARMACIES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 12-280-103, **amend** (8) as follows:

12-280-103. Definitions - rules. As used in this article 280, unless the context otherwise requires or the term is otherwise defined in another part of this article 280:

(8) "Casual sale" means a transfer, delivery, or distribution to a corporation, individual, or other entity, other than a consumer, entitled to possess prescription drugs; except that the amount of drugs transferred, delivered, or distributed in this manner by any registered prescription drug outlet or ~~ANY hospital~~ REGISTERED other outlet shall not exceed ten percent

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

of the total number of dosage units of drugs dispensed and distributed OR
ORIGINALLY PROCURED IN ANY REGISTERED OTHER OUTLET on an annual
basis by the outlet.

SECTION 2. In Colorado Revised Statutes, 12-280-119, **amend**
(1)(d) as follows:

12-280-119. Registration of facilities - rules. (1) All outlets with
facilities in this state shall register with the board in one of the following
classifications:

(d) Any other outlet, as may be authorized by this article 280 or that
meets the definition of OTHER outlet as set forth in section 12-280-103 (32).

SECTION 3. In Colorado Revised Statutes, 12-280-120, **amend**
(5)(a) introductory portion, (5)(a)(I), and (5)(a)(II); and **repeal** (5)(b) as
follows:

**12-280-120. Compounding - dispensing - sale of drugs and
devices - rules - definition.** (5) (a) A registered prescription drug ~~or~~
OUTLET ~~or licensed hospital~~ other outlet may:

(I) Make a casual sale ~~or loan of or give~~ a drug IN THE
MANUFACTURER'S SEALED CONTAINER to another registered outlet; ~~or to a
wholesaler of drugs;~~

(II) ~~Sell or give~~ MAKE A CASUAL SALE OF a drug IN THE
MANUFACTURER'S SEALED CONTAINER to a practitioner authorized by law
to prescribe the drug;

(b) ~~In the case of a county or district public health agency that
operates registered other outlets, one registered other outlet may make a
casual sale of a drug to another registered other outlet if:~~

~~(I) The drug is sold in the original sealed container in which it was
originally received from the wholesaler;~~

~~(II) A casual sale is not made to a registered other outlet that is not
owned or operated by that county or district public health agency; and~~

~~(III) The amount sold does not exceed the ten percent limit established by section 12-280-103 (8).~~

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

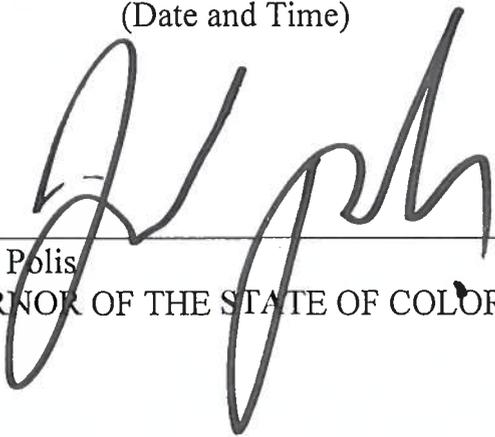

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES


Leroy M. Garcia
PRESIDENT OF
THE SENATE


Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES


Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED March 24, 2020 at 4:30pm
(Date and Time)


Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO