

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 16-0671.01 Jennifer Berman x3286

SENATE BILL 16-062

SENATE SPONSORSHIP

Marble, Grantham, Neville T., Lambert, Woods, Holbert, Lundberg, Scheffel, Cooke, Crowder, Hill, Martinez Humenik, Sonnenberg, Tate

HOUSE SPONSORSHIP

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Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE REGULATION OF VETERINARY**
102 **PHARMACEUTICALS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Section 1 of the bill requires the governor to appoint at least 2 members to the state board of pharmacy (board) who are engaged in the practice of, or otherwise professionally interested in, veterinary medicine or animal agriculture.

Section 2 removes the sale of veterinary devices from the board's regulatory purview.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Section 3 reduces the civil penalty a person faces for unlawfully distributing a veterinary drug to a civil penalty of \$50 to \$500 for a single violation and a maximum of \$5,000 for multiple violations.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-42.5-104, **amend**
3 (1) (a) as follows:

4 **12-42.5-104. Membership of board - removal - compensation**
5 **- meetings.** (1) (a) (I) The board is composed of five licensed
6 pharmacists, each having at least five years' experience in this state and
7 actively engaged in the practice of pharmacy in this state, and two
8 nonpharmacists who have no financial interest in the practice of
9 pharmacy.

10 (II) FOR APPOINTMENTS MADE ON OR AFTER JULY 1, 2016, AT
11 LEAST TWO MEMBERS OF THE BOARD MUST BE ENGAGED IN THE PRACTICE
12 OF, OR OTHERWISE PROFESSIONALLY INTERESTED IN, VETERINARY
13 MEDICINE OR ANIMAL AGRICULTURE.

14 **SECTION 2.** In Colorado Revised Statutes, 12-42.5-107, **amend**
15 (2) as follows:

16 **12-42.5-107. Drugs, devices, and other materials.** (2) The
17 board is responsible for the control and regulation of the sale of devices
18 at retail; EXCEPT THAT THE BOARD SHALL NOT REGULATE THE SALE OF ANY
19 VETERINARY DEVICE.

20 **SECTION 3.** In Colorado Revised Statutes, 12-42.5-124, **amend**
21 (5) (a) (I); and **add** (5) (a) (III) as follows:

22 **12-42.5-124. Disciplinary actions.** (5) (a) (I) Except as provided
23 in ~~subparagraph~~ SUBPARAGRAPHS (II) AND (III) of this paragraph (a), in
24 addition to any other penalty the board may impose pursuant to this

1 section, the board may fine any registrant violating this article or any rules
2 promulgated pursuant to this article not less than five hundred dollars and
3 not more than five thousand dollars for each violation.

4 (III) THE BOARD MAY FINE A PERSON WHO DISTRIBUTES A
5 VETERINARY DRUG IN VIOLATION OF THIS ARTICLE NOT LESS THAN FIFTY
6 DOLLARS NOR MORE THAN FIVE HUNDRED DOLLARS FOR EACH VIOLATION,
7 WITH A MAXIMUM AGGREGATED FINE OF FIVE THOUSAND DOLLARS FOR
8 MULTIPLE VIOLATIONS.

9 **SECTION 4. Effective date - applicability.** This act takes effect
10 July 1, 2016, and applies to offenses committed on or after said date.

11 **SECTION 5. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, and safety.