

June 2009

TITLE 19

Food, Drugs, Oils, and Compounds

Summary of Bills Enacted by 2009 Legislative Assembly

This memorandum summarizes 2009 legislation primarily affecting North Dakota Century Code Title 19. Bills primarily affecting other titles also affect this title, and relevant provisions of those bills are summarized in this memorandum.

The legislation relating to food, drugs, oils, and compounds may be classified in these subject areas: pesticides, drugs, and fuel.

PESTICIDES

House Bill No. 1009 deposits the entire pesticide registration fee of \$350 for each project into the environment and rangeland protection fund, instead of as previously required of having \$50 of the fee deposited in the general fund.

DRUGS

Senate Bill No. 2218 creates a new chapter of law requiring a valid prescription to deliver, distribute, or dispense a controlled substance or specified drug and prohibits the delivery, distribution, or dispensing of a controlled substance that is a prescription drug by means of the Internet without a valid prescription. In addition, the bill creates a Class C felony for a person to willfully serve as an agent, intermediary, or other entity that causes the Internet to be used to bring together a buyer and seller to engage in delivery, distribution, or dispensing of a controlled substance in a manner not authorized by the chapter or to offer to fill or refill a prescription for a controlled substance based solely on a consumer's completion of an online medical questionnaire.

House Bill No. 1105 redefines and adds to the lists of Schedule II controlled substances that are opiums or opiates; adds to Schedule III controlled substances the anabolic steroids boldione, desoxymethyltestosterone, and 19-nor-4,9(10)-androstadienedione; and adds to Schedule IV controlled substances the depressant indiplon.

House Bill No. 1127 provides for duties of and protections offered by the Drug Enforcement Unit to be assumed by the Bureau of Criminal Investigation.

FUEL

Senate Bill No. 2228 adds alternative fuels to the fuels for which motor vehicle fuel or special fuels dealers must pay the Tax Commissioner an inspection fee, for which monthly reports must be sent to the Tax Commissioner, and for which the Tax Commissioner may require a bond.