

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Walter F. Tilty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act regulating certain over the counter substances.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Walter F. Tilty	7th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3742 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT REGULATING CERTAIN OVER THE COUNTER SUBSTANCES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 For the purposes of this statute, any drug, material, compound, mixture, preparation or
2 substance containing any quantity of dextromethorphan, shall be deemed a substance within the
3 meaning of this clause which may cause a potential for abuse leading to permanent brain damage, coma
4 and possibly death, Chapter 94 C section 3 of the General Laws are hereby amended by inserting the
5 following text:

6

7 (7) Any person who sells or offers to sell to a person under the age of eighteen years any product
8 containing dextromethorphan shall be liable to a penalty of \$250 for the first violation, \$500 for the
9 second violation and \$1,000 for the third and each subsequent violation and may be subject to further
10 actions pursuant to the provisions of this chapter. Any pharmacy or retail provider which sells products
11 containing dextromethorphan shall keep an inventory of such products and may limit consumers to
12 certain quantities.