

By: Wilson

H.B. No. 3138

A BILL TO BE ENTITLED

AN ACT

relating to the classification of ephedra as a dangerous drug.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 483.001(2), Health and Safety Code, is amended to read as follows:

(2) "Dangerous drug" means a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of Chapter 481 (Texas Controlled Substances Act). The term includes a device or a drug that:

(A) bears or is required to bear the legend:

(i) [~~(A)~~] "Caution: federal law prohibits dispensing without prescription" or "Rx only" or another legend that complies with federal law; or

(ii) [~~(B)~~] "Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian[~~+~~]";
or

(B) contains ephedra.

SECTION 2. This Act takes effect September 1, 2003.