

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Delisi, Dukes, Hopson, Laubenberg,  
Zerwas

H.B. No. 1676

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a public awareness campaign concerning certain  
3 solicitations for the purchase of prescription drugs.

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

5 SECTION 1. Subchapter B, Chapter 402, Government Code, is  
6 amended by adding Section 402.031 to read as follows:

7 Sec. 402.031. PUBLIC AWARENESS CAMPAIGN CONCERNING CERTAIN  
8 PRESCRIPTION DRUG SOLICITATIONS. (a) The consumer protection  
9 division within the office of the attorney general shall develop a  
10 public awareness campaign to educate consumers concerning  
11 solicitations for the sale of prescription drugs that are made  
12 using electronic mail or the Internet.

13 (b) The public awareness campaign must emphasize the  
14 existence of reputable pharmacies and pharmacists that provide  
15 services through the Internet and must provide information to  
16 assist a consumer in distinguishing a reputable pharmacy or  
17 pharmacist from a seller that may be unlicensed or fraudulent.

18 (c) In developing the public awareness campaign, the  
19 consumer protection division shall consult with the Texas State  
20 Board of Pharmacy, trade associations representing the interests of  
21 pharmacies and pharmacists in this state, and advocates for  
22 consumer protection.

23 (d) In conducting the public awareness campaign, the  
24 consumer protection division may distribute information using:

1           (1) brochures;

2           (2) advertisements, articles, or editorials in  
3 newspapers or other publications;

4           (3) radio or television public service announcements;

5           (4) the Internet; or

6           (5) other appropriate means.

7           (e) The attorney general may, in accordance with Section  
8 402.005, accept gifts, grants, and donations to support the public  
9 awareness campaign.

10           SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2007.

ADOPTED

APR 26 2007

*Atty. Gen.*  
Secretary of the Senate

By: *Wanda Potts*

H.B. No. 1676

Substitute the following for H.B. No. 1676:

By: *[Signature]*

C.S.H.B. No. 1676

A BILL TO BE ENTITLED

AN ACT

relating to a public awareness campaign concerning certain solicitations for the purchase of prescription drugs.

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

SECTION 1. Subchapter B, Chapter 402, Government Code, is amended by adding Section 402.031 to read as follows:

Sec. 402.031. PUBLIC AWARENESS CAMPAIGN CONCERNING CERTAIN PRESCRIPTION DRUG SOLICITATIONS. (a) The office of the attorney general shall develop a public awareness campaign to educate consumers concerning solicitations for the sale of prescription drugs that are made using electronic mail or the Internet.

(b) The public awareness campaign must emphasize the existence of reputable pharmacies and pharmacists that provide services through the Internet and must provide information to assist a consumer in distinguishing a reputable pharmacy or pharmacist from a seller that may be unlicensed or fraudulent.

(c) In developing the public awareness campaign, the office of the attorney general shall consult with the Texas State Board of Pharmacy, trade associations representing the interests of pharmacies and pharmacists in this state, and advocates for consumer protection.

(d) In conducting the public awareness campaign, the office of the attorney general may distribute information using:

(1) brochures;

1           (2) advertisements, articles, or editorials in  
2 newspapers or other publications;

3           (3) radio or television public service announcements;

4           (4) the Internet; or

5           (5) other appropriate means.

6           (e) The attorney general may, in accordance with Section  
7 402.005, accept gifts, grants, and donations to support the public  
8 awareness campaign.

9           SECTION 2. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2007.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 16, 2007**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1676** by Delisi (Relating to a public awareness campaign concerning certain solicitations for the purchase of prescription drugs.), **Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend statute and require the Office of the Attorney General to conduct a public awareness campaign concerning certain solicitations related to the purchase of prescription drugs. It is anticipated that any additional costs associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house; otherwise, the bill would take effect September 1, 2007.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 302 Office of the Attorney General, 515 Board of Pharmacy

**LBB Staff:** JOB, CL, JM, AH

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 6, 2007**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1676** by Delisi (Relating to a public awareness campaign concerning certain solicitations for the purchase of prescription drugs.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend statute and require the Office of the Attorney General to conduct a public awareness campaign concerning certain solicitations related to the purchase of prescription drugs. It is anticipated that any additional costs associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house; otherwise, the bill would take effect September 1, 2007.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 302 Office of the Attorney General, 515 Board of Pharmacy

**LBB Staff:** JOB, CL, JM, AH

**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 6, 2007**

**TO:** Honorable Dianne White Delisi, Chair, House Committee on Public Health

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB1676** by Delisi (Relating to a public awareness campaign concerning certain solicitations for the purchase of prescription drugs.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend statute and require the Office of the Attorney General to conduct a public awareness campaign concerning certain solicitations related to the purchase of prescription drugs. It is anticipated that any additional costs associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house; otherwise, the bill would take effect September 1, 2007.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 302 Office of the Attorney General, 515 Board of Pharmacy

**LBB Staff:** JOB, CL, JM, AH