

House Bill 1676
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 consumer protection**

division within 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 **consumer protection division** 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 **consumer protection division** may distribute information using:

- (1) brochures;
- (2) advertisements, articles, or editorials in newspapers or other publications;
- (3) radio or television public service announcements;

SENATE VERSION

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;
- (2) advertisements, articles, or editorials in newspapers or other publications;
- (3) radio or television public service announcements;
- (4) the Internet; or

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(4) the Internet; or

(5) other appropriate means.

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

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

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(5) other appropriate means.

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

Same as House version.

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