

By: Darby

H.B. No. 3078

A BILL TO BE ENTITLED

1 AN ACT

2 relating to manufacturer fees for operation of a real-time
3 electronic logging system to track over-the-counter sales of
4 ephedrine, pseudoephedrine, or norpseudoephedrine; imposing a fee;
5 authorizing an administrative penalty.

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

7 SECTION 1. Section 486.001(a), Health and Safety Code, is
8 amended by adding Subdivision (7) to read as follows:

9 (7) "System administrator" means an entity
10 responsible for developing, implementing, and maintaining a
11 real-time electronic logging system.

12 SECTION 2. Subchapter B, Chapter 486, Health and Safety
13 Code, is amended by adding Section 486.016 to read as follows:

14 Sec. 486.016. MANUFACTURER FEES. (a) A manufacturer of a
15 product containing ephedrine, pseudoephedrine, or
16 norpseudoephedrine sold in this state shall pay a monthly fee to the
17 system administrator of each real-time electronic logging system a
18 business establishment uses to transmit information on the
19 establishment's sales of the manufacturer's products to support the
20 establishment's use of the system.

21 (b) Each system administrator shall set a fair and
22 reasonable amount for the fee required under Subsection (a).

23 (c) At the department's request, a manufacturer shall
24 provide written documentation demonstrating the manufacturer paid

1 all fees required under Subsection (a).

2 (d) The department may impose an administrative penalty
3 under Subchapter C on a manufacturer that fails to pay the fee
4 required by Subsection (a).

5 SECTION 3. Section 486.016, Health and Safety Code, as
6 added by this Act, applies only to a fee imposed on or after the 30th
7 day after the effective date of this Act.

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2025.