

1 *Hayes* *House* BILL NO. *239* VINCENT *Suchick*
 2 INTRODUCED BY *Conroy Muller, President*
 3 *Kelly, Fiala, Murphy, Sloan, Sullivan*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CONTROLLING THE
 5 DISTRIBUTION OF SAMPLE DRUGS." *McFadden, Gorman*
 6 *Cooney, Thomas*

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8 Section 1. Purpose. It is the purpose of this act to
9 control the distribution of sample drugs which are used by
10 manufacturers thereof for promotional or advertising
11 purposes.

12 Section 2. Definition. A sample drug, within the
13 meaning of this act, is a legend or controlled drug,
14 distributed by the manufacturer thereof free of charge for
15 promotional or advertising purposes.

16 Section 3. Request for sample drugs. A sample drug
17 may be obtained only by written request to the manufacturer
18 thereof, signed by one authorized to prescribe such drug,
19 and shipped directly from the manufacturer to the one
20 ordering the drug. A specific and individual request must
21 be submitted to the manufacturer for each shipment of a
22 sample drug.

23 Section 4. Prohibited acts. It is unlawful for any
24 person to sell, exchange, give away, receive, or possess any
25 sample drugs except in accordance with the provisions of

1 this act.

2 Section 5. Penalties. Any person, firm,
3 copartnership, corporation, or association violating any of
4 the provisions of this act is guilty of a misdemeanor and
5 shall be punished by a fine of not more than five hundred
6 dollars (\$500), or by imprisonment for not more than six (6)
7 months or both such fine and imprisonment.

-End-

Approved by Committee
on Public Health, Welfare
& Safety

HOUSE BILL NO. 239

INTRODUCED BY CONROY, MULAR, DUSSAULT, LESTER, HARPER,
VINCENT, LUEBECK, KELLY, HALVORSON, MURPHY, SLOAN,
GILLIGAN, TROPILA, HAGER, C.R. ANDERSON, JACOBSEN,
MCFADDEN, CASEY, THOMAS

A BILL FOR AN ACT ENTITLED: "AN ACT CONTROLLING THE
DISTRIBUTION OF SAMPLE DRUGS."

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

Section 1. Purpose. It is the purpose of this act to
control the distribution of sample drugs which are used by
manufacturers thereof for promotional or advertising
purposes.

Section 2. Definition. A sample drug, within the
meaning of this act, is a legend or controlled drug,
distributed TO PERSONS LICENSED PURSUANT TO TITLE 66,
CHAPTERS 6, 9, AND 10, R.C.M. 1947, by the manufacturer
thereof free of charge for promotional or advertising
purposes.

Section 3. Request for sample drugs. A sample drug
may be PROVIDED OR obtained ~~only~~ by written request to the
manufacturer thereof, signed by one authorized to prescribe
such drug, and shipped directly from the manufacturer to the
one ordering the drug. ~~A specific and individual request~~

~~must be submitted to the manufacturer for each shipment of a
sample drug.~~

~~Section 4. Prohibited acts. It is unlawful for any
person to sell, exchange, give away, receive, or possess any
sample drugs except in accordance with the provisions of
this act.~~

Section 4. Penalties. Any person, firm,
copartnership, corporation, or association violating any of
the provisions of this act is guilty of a misdemeanor and
shall be punished by a fine of not more than five hundred
dollars (\$500) ~~or by imprisonment for not more than six (6)
months or both such fine and imprisonment.~~

-End-

HOUSE BILL NO. 239

INTRODUCED BY CONROY, MULAR, DUSSAULT, LESTER, HARPER,
VINCENT, LUEBECK, KELLY, HALVORSON, MURPHY, SLOAN,
GILLIGAN, TROPILA, HAGER, C.R. ANDERSON, JACOBSEN,
MCFADDEN, CASEY, THOMAS

A BILL FOR AN ACT ENTITLED: "AN ACT CONTROLLING THE
DISTRIBUTION OF SAMPLE DRUGS."

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

Section 1. Purpose. It is the purpose of this act to
control the distribution of sample drugs which are used by
manufacturers thereof for promotional or advertising
purposes.

Section 2. Definition. A sample drug, within the
meaning of this act, is a legend or controlled drug,
distributed TO PERSONS LICENSED PURSUANT TO TITLE 66,
CHAPTERS 6, 9, AND 10, R.C.M. 1947, by the manufacturer
thereof free of charge for promotional or advertising
purposes.

Section 3. Request for sample drugs. A sample drug
may be PROVIDED OR obtained ~~only~~ by written request to the
manufacturer thereof, signed by one authorized to prescribe
such drug, and shipped directly from the manufacturer to the
one ordering the drug. ~~A specific and individual request~~

~~must be submitted to the manufacturer for each shipment of a
sample drug.~~

~~Section 4. Prohibited acts. It is unlawful for any
person to sell, exchange, give away, receive, or possess any
sample drugs except in accordance with the provisions of
this act.~~

Section 4. Penalties. Any person, firm,
copartnership, corporation, or association violating any of
the provisions of this act is guilty of a misdemeanor and
shall be punished by a fine of not more than five hundred
dollars (\$500) ~~or by imprisonment for not more than six (6)
months or both such fine and imprisonment.~~

-End-

March 19, 1975

SENATE COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY
AMENDMENTS TO HOUSE BILL NO. 239

That House Bill No. 239, third reading, be amended as follows:

1. Amend page 2, section 4, line 6.

Following: line 6

Insert: "Section 4. Prohibited acts. It is unlawful for any sample drug to be provided for or obtained by any person licensed pursuant to Title 66, chapters 6, 9 and 10, R.C.M. 1947, except in accordance with the provisions of this act."

Renumber: Subsequent section

AND AS SO AMENDED, BE REPORTED WITHOUT RECOMMENDATION