

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0474.01 Kristen Forrestal x4217

**HOUSE BILL 20-1050**

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**HOUSE SPONSORSHIP**

**Hooton and Larson,**

**SENATE SPONSORSHIP**

**Ginal and Tate,**

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**House Committees**

Public Health Care & Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE DISTRIBUTION OF DRUGS BY OTHER OUTLET**  
102 **PHARMACIES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill allows ambulatory surgical center other outlets, hospice other outlets, and convalescent center other outlets to:

- ! Make a casual sale or loan of prescription drugs to another registered outlet or to a drug wholesaler;
- ! Sell or give a prescription drug to a practitioner authorized by law to prescribe the drug; and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

! Supply an emergency kit or starter dose of a prescription drug to specified entities.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-280-103, **amend**  
3 (8) as follows:

4 **12-280-103. Definitions - rules.** As used in this article 280, unless  
5 the context otherwise requires or the term is otherwise defined in another  
6 part of this article 280:

7 (8) "Casual sale" means a transfer, delivery, or distribution to a  
8 corporation, individual, or other entity, other than a consumer, entitled to  
9 possess prescription drugs; except that the amount of drugs transferred,  
10 delivered, or distributed in this manner by ~~any~~ A registered prescription  
11 drug outlet, ~~or~~ A hospital OTHER OUTLET, OR AN other outlet shall not  
12 exceed ten percent of the total number of dosage units of drugs dispensed  
13 and distributed on an annual basis by the outlet.

14 **SECTION 2.** In Colorado Revised Statutes, 12-280-119, **amend**  
15 (1)(d) as follows:

16 **12-280-119. Registration of facilities - rules.** (1) All outlets with  
17 facilities in this state shall register with the board in one of the following  
18 classifications:

19 (d) Any other outlet, as may be authorized by this article 280 or  
20 that meets the definition of OTHER outlet as set forth in section  
21 12-280-103 (32).

22 **SECTION 3.** In Colorado Revised Statutes, 12-280-120, **amend**  
23 (5)(a) introductory portion; and **add (5)(a.5)** as follows:

24 **12-280-120. Compounding - dispensing - sale of drugs and**  
25 **devices - rules - definition.** (5) (a) A registered prescription drug ~~or~~

1 OUTLET, A licensed hospital other outlet, AN AMBULATORY SURGICAL  
2 CENTER OTHER OUTLET, OR A CONVALESCENT CENTER OTHER OUTLET  
3 may:

4 (a.5) A HOSPICE OTHER OUTLET MAY MAKE A CASUAL SALE OR  
5 LOAN OF OR GIVE A DRUG TO ANOTHER REGISTERED OUTLET OR TO A  
6 WHOLESALER.

7 **SECTION 4. Act subject to petition - effective date.** This act  
8 takes effect at 12:01 a.m. on the day following the expiration of the  
9 ninety-day period after final adjournment of the general assembly (August  
10 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a  
11 referendum petition is filed pursuant to section 1 (3) of article V of the  
12 state constitution against this act or an item, section, or part of this act  
13 within such period, then the act, item, section, or part will not take effect  
14 unless approved by the people at the general election to be held in  
15 November 2020 and, in such case, will take effect on the date of the  
16 official declaration of the vote thereon by the governor.