

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

400I0237

SENATE BILL NO. 48

Introduced by: The Committee on Commerce at the request of the Department of Commerce
and Regulation

1 FOR AN ACT ENTITLED, An Act to include reverse distributors in the definition of wholesale
2 drug distributors.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 36-11-2 be amended by adding thereto a NEW SUBDIVISION to read as
5 follows:

6 "Reverse distributor," any person or business registered with the Drug Enforcement
7 Administration that accepts drug products from vendors and returns the drug products to
8 manufacturers for credit or destruction.

9 Section 2. That § 36-11A-3 be amended to read as follows:

10 36-11A-3. A wholesale drug distributor is any person engaged in the wholesale distribution
11 of prescription drugs, including manufacturers; repackagers; own-label distributors; private-label
12 distributors; reverse distributors; jobbers; brokers; warehouses, including manufacturers' and
13 distributors' warehouses, chain drug warehouses, and wholesale drug warehouses; independent
14 wholesale drug traders; and retail and hospital pharmacies that conduct wholesale distributions,
15 including pharmacy distributors. A wholesale drug distributor does not include a common carrier



1 or an individual hired solely to transport prescription drugs.