

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

400N0335

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

**HB 1073** - 01/24/2007

Introduced by: The Committee on Judiciary at the request of the Office of the Attorney  
General

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding identification and  
2 recording for products containing pseudoephedrine or ephedrine.

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

4 Section 1. That § 34-20D-8 be amended to read as follows:

5 34-20D-8. If offering for sale a product containing pseudoephedrine or ephedrine as an  
6 active ingredient, a retailer shall, before making such a sale, require and make a record of the  
7 identification of the person purchasing the product containing pseudoephedrine or ephedrine.  
8 For purposes of this section, the term, identification, means a document issued by a  
9 governmental agency which contains a description of the person or a photograph of the person,  
10 or both, and gives the person's date of birth, such as a driver's license, passport, or military  
11 identification card. The retailer shall maintain the record of identification, including the  
12 purchaser's name and date of birth. ~~On August 1, 2006, and no later than the fifth day of every~~  
13 ~~month thereafter, the retailer shall send any such records to the Office of the Attorney General,~~  
14 for two years, after which the record may be destroyed. No retailer may use or maintain the  
15 record for any private or commercial purpose or disclose the record to any person, except as



- 1 authorized by law. The retailer shall disclose the record, upon request, to a law enforcement
- 2 agency for a law enforcement purpose.