

CHAPTER 55

CHAPTER 55, LAWS 2002

AN ACT

RELATING TO CONTROLLED SUBSTANCES; REQUIRING REGISTRATION EXCLUSIVELY THROUGH THE BOARD OF PHARMACY OF CERTAIN PERSONS HANDLING CONTROLLED SUBSTANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-31-12 NMSA 1978 (being Laws 1972, Chapter 84, Section 12, as amended) is amended to read:

"30-31-12. REGISTRATION REQUIREMENTS.--

A. Every person who manufactures, distributes or dispenses any controlled substance or who proposes to engage in the manufacture, distribution or dispensing of any controlled substance shall obtain annually a registration issued by the board in accordance with its regulations.

B. Persons registered by the board to manufacture, distribute, dispense or conduct research with controlled substances may possess, manufacture, distribute, dispense, prescribe or conduct research with those substances to the extent authorized by their registration and in conformity with the other provisions of the Controlled Substances Act.

C. The following persons need not register and may lawfully possess controlled substances:

(1) an agent of any registered manufacturer, distributor or dispenser of any controlled substance if he is acting in the usual course of his principal's business or employment;

(2) a common or contract carrier or warehouseman, or an employee whose possession of any controlled substance is in the usual course of the common or contract carrier or warehouseman's business; or

(3) an ultimate user.

D. The board may waive by regulation the requirement for registration of certain manufacturers, distributors or dispensers if it is consistent with the public health and safety.

E. The board may inspect the establishment of a registrant or applicant for registration in accordance with the board's regulations."

HOUSE BILL 41, WITH CERTIFICATE OF CORRECTION