
**Public Safety & Emergency
Preparedness Committee**

HB 1487

Brief Description: Creating the crime of fraudulent pseudoephedrine procurement.

Sponsors: Representatives Campbell, Ericks, Green, P. Sullivan, McCune, Ormsby and Morrell.

Brief Summary of Bill

- Creates the crime of fraudulent pseudoephedrine procurement, a seriousness level IV, class C felony offense.

Hearing Date: 2/5/07

Staff: Yvonne Walker (786-7841).

Background:

Driver's licenses and identification cards are a person's primary means of identification with respect to commercial financial transactions related to banking, credit card use, check cashing, loan acquisition, and even to purchase specific medicines (containing substances such as pseudoephedrine) from various retailers.

Penalties for a False Identification: Generally it is a misdemeanor offense to possess or display a forged or altered identification card or driver's license. It is a class C felony offense to:

- sell or deliver a stolen driver's license or identification card; or
- manufacture, sell, or deliver a forged, fictitious or altered driver's license or identification card for financial gain or with the intent to commit forgery, theft, or identity theft.

Purchasing Pseudoephedrine: Pseudoephedrine is commonly used as a decongestant. The salts pseudoephedrine hydrochloride and pseudoephedrine sulfate are often found in many over-the-counter preparations either as single-ingredient preparations, or more commonly in combination with antihistamines and ibuprofen. Consumers often refer to products containing pseudoephedrine as "Sudafed," which is a trademark name for a common brand of pseudoephedrine hydrochloride product known in North America.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In 2001, ESSB 5017 was enacted that required manufacturers, wholesalers, and retailers to require proper identification from anyone purchasing pseudoephedrine and to keep a record of such transaction. A violation to comply with the mandatory requirements is a misdemeanor offense.

Summary of Bill:

A crime of fraudulent pseudoephedrine procurement is created. It is a seriousness level IV, class C felony offense to knowingly procure or purchase pseudoephedrine or any of its salts, isomers, or salts or isomers, with a false identification card of another person. A first-time offender would receive a sentence of three to nine months in jail.

Appropriation: None.

Fiscal Note: Requested January 26, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.