

HOUSE BILL No. 2985

By Committee on Appropriations

2-23

9 AN ACT creating the crime of trafficking in counterfeit drugs; providing
10 penalties therefor.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) Trafficking in counterfeit drugs is intentionally man-
14 ufacturing, distributing, dispensing, selling or delivering for consumption
15 purposes, or holding or offering for sale, any counterfeit drug.

16 (b) Trafficking in counterfeit drugs which have a retail value of less
17 than \$500 is a class A nonperson misdemeanor, trafficking in counterfeit
18 drugs which have a retail value of at least \$500 but less than \$25,000 is a
19 severity level 9, nonperson felony and trafficking in counterfeit drugs
20 which have a retail value of \$25,000 or more is a severity level 7, non-
21 person felony.

22 (c) A pharmacy which is inadvertently in possession of counterfeit
23 drugs may return those drugs to the supplier who provided the drugs to
24 the pharmacy.

25 Sec. 2. This act shall take effect and be in force from and after its
26 publication in the statute book.