

HOUSE BILL 920

J1, E4

9lr1286

By: **Delegates Ali and Benson**

Introduced and read first time: February 12, 2009

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **No So-Called Sexual Stimulant Pills for Kids Act**

3 FOR the purpose of prohibiting the sale or offer for sale to minors of products labeled
4 and marketed as sexual stimulant pills, with a certain exception; requiring
5 retailers to display and store certain products in a certain manner; requiring
6 the Secretary of Health and Mental Hygiene to adopt certain regulations;
7 establishing certain penalties; and generally relating to the sale of products
8 marketed as sexual stimulant pills.

9 BY adding to
10 Article – Health – General
11 Section 24–304
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2008 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 **24–304.**

18 (A) **EXCEPT ON A VALID PRESCRIPTION OF AN AUTHORIZED**
19 **PRESCRIBER AS DEFINED IN § 12–101 OF THE HEALTH OCCUPATIONS ARTICLE,**
20 **A PERSON MAY NOT KNOWINGLY SELL OR OFFER FOR SALE TO A MINOR A**
21 **PRODUCT THAT IS LABELED AND MARKETED AS A SEXUAL STIMULANT PILL.**

22 (B) **EACH RETAILER THAT SELLS OR OFFERS FOR SALE PRODUCTS**
23 **THAT ARE LABELED AND MARKETED AS SEXUAL STIMULANT PILLS SHALL**
24 **DISPLAY AND STORE THE PRODUCTS SO THAT THE PRODUCTS ARE ACCESSIBLE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ONLY TO THE RETAILER OR AGENT OR EMPLOYEE OF THE RETAILER AND ARE
2 OUT OF REACH OF MINORS.

3 (C) THE SECRETARY SHALL:

4 (1) DEFINE PRODUCTS THAT ARE COVERED BY THE PROHIBITION
5 UNDER SUBSECTION (A) OF THIS SECTION; AND

6 (2) ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

7 (D) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL
8 PENALTY OF:

9 (1) \$300 FOR A FIRST VIOLATION; AND

10 (2) \$500 FOR A SUBSEQUENT VIOLATION WITHIN A 24-MONTH
11 PERIOD AFTER THE PREVIOUS VIOLATION.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2009.