

H. B. 2794

(By Delegates Perdue and Rodighiero)

[Introduced January 24, 2011; referred to the
Committee on the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §60A-3-309, relating
to dispensing controlled substances by United States mail or
delivery service; requiring that the recipient of the
controlled substance be over eighteen years of age, present
government issued identification and sign a receipt for the
controlled substance being delivered.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new section, designated §60A-3-309, to read as
follows:

**ARTICLE 3. REGULATION OF MANUFACTURE, DISTRIBUTION AND DISPENSING
OF CONTROLLED SUBSTANCES.**

§60A-3-309. Dispensing and delivery of controlled substances by

1 mail or delivery service; identification and
2 signature.

3 In addition to all other requirements of this chapter, a
4 controlled substance included in schedules II, III, IV and V, as
5 described and defined in article two of this chapter may be
6 dispensed by United States mail or delivery service only if the
7 person accepting delivery of the controlled substance is eighteen
8 years of age or older, presents government issued identification
9 sufficient to identify himself or herself to the person delivering
10 the controlled substance and signs a receipt indicating his or her
11 acceptance of delivery of the controlled substance.

NOTE: The purpose of this bill is to require that when a controlled substance is dispensed by mail or delivery service, the person accepting delivery of the controlled substance must be eighteen years of age or older, must present government issued identification, and must sign a receipt indicating acceptance of the controlled substance.

§60A-3-309 is new; therefore, it has been completely underscored.