

**A RESOLUTION AUTHORIZING THE FLOYD COUNTY SHERIFF'S OFFICE TO ESTABLISH AND IMPLEMENT AN ELECTRONIC RECORD KEEPING SYSTEM OF CERTAIN PURCHASES OF EPHEDRINE AND COMBINATION PRODUCTS, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE: IMPLEMENTING SAID SYSTEM WITH REQUIRED COOPERATION OF THE COUNTY PHARMACIES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, in order to protect citizens of Floyd County from the harmful effects of methamphetamine labs, current state and federal law requires that certain transactions involving the distribution of ephedrine, pseudoephedrine, and phenylpropanolamine must be conducted by a licensed pharmacist or a registered pharmacy technician; and,

WHEREAS, such transactions must be documented and maintained in a written or electronic log, or by receipts of transactions; and,

WHEREAS, in order to more effectively monitor such transactions and to provide the Floyd County Sheriff's Office and other law enforcement agencies in Floyd County with needed tools to fight the methamphetamine problem, the Floyd County Commissioners find that the establishment of an electronic record keeping system of certain transactions involving the distribution of ephedrine, pseudoephedrine, and phenylpropanolamine is needed:

NOW THEREFORE, BE IT RESOLVED by the duly elected Board of County Commissioners of Floyd County, IN:

SECTION 1: That the Floyd County Sheriff's Office is authorized to establish and implement an electronic record keeping system of the transactions involving the distribution of ephedrine, pseudoephedrine, and phenylpropanolamine products by pharmacists or registered pharmacy technicians which must be recorded and maintained pursuant to current law. Said system shall monitor data in compliance with current Federal and State law and regulations.

SECTION 2: That all pharmacies in Floyd County, that choose to sell over the counter products containing ephedrine, pseudoephedrine, and phenylpropanolamine, are required to participate in said electronic record keeping system within 30 days of this Resolution becoming effective or be subject to fines of \$500 per month until in compliance.

SECTION 3: That participating pharmacies must participate in the electronic record keeping system by using the system to directly enter their transaction data on these products containing ephedrine, pseudoephedrine, and phenylpropanolamine at the point of sale.

SECTION 4: That all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.


SECTION 5: That the provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

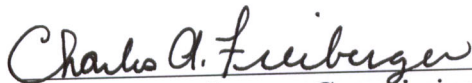
SECTION 6: It is hereby found and determined that the immediate passage of this resolution is necessary to efficiently and effectively deal with the monitoring of transactions involving the distribution of ephedrine, pseudoephedrine, and phenylpropanolamine products by pharmacies, and to preserve the public health, safety and welfare;

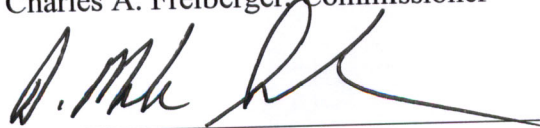
THEREFORE, an emergency is hereby declared to exist and this Resolution shall be in full force and effect from and after its publication in the official newspaper(s),

PASSED AND APPROVED this 3<sup>rd</sup> day of MARCH, 2009.

BOARD OF FLOYD COUNTY COMMISSIONERS

  
Stephen A. Bush, President

  
Charles A. Freiburger, Commissioner

  
D. Mark Seabrook, Commissioner

ATTEST:

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Teresa Plaiss,  
Auditor of Floyd County