

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0226

SENATE BILL NO. 46

Introduced by: The Committee on Commerce at the request of the Department of Commerce
and Regulation

1 FOR AN ACT ENTITLED, An Act to revise certain requirements for membership and payment
2 of fees to the South Dakota Pharmacy Association, to transfer certain fees to the South
3 Dakota Board of Pharmacy, and to increase a penalty.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 36-11-3 be amended to read as follows:

6 36-11-3. ~~The registered pharmacists of this state shall constitute an association under the~~
7 ~~name and title of the South Dakota Pharmacists Association, the purpose of which shall be The~~
8 ~~purpose of the South Dakota Pharmacists Association is to serve as the state professional society~~
9 ~~of pharmacists which represents the profession of pharmacy, ~~enhances~~ to enhance the public's~~
10 ~~awareness of pharmacy, and ~~serves~~ to serve the best interest of public health and pharmacy. ~~The~~~~
11 ~~South Dakota Pharmacists Association shall be conducted as a nonprofit corporation pursuant~~
12 ~~to the terms of its articles of incorporation. The members of the association who have secured~~
13 ~~a current annual certificate of registration to practice pharmacy in this state are entitled to all of~~
14 ~~the rights and privileges of the association and may vote, serve as an officer or director of the~~
15 ~~association, and participate in all of the meetings of the association. The association shall hold~~
16 an annual meeting at such time and place as it determines. It shall report annually to the

1 Governor, recommending the names of at least three members who are practicing pharmacists
2 rendering pharmaceutical services to the general public in this state and otherwise qualified to
3 be appointed as members of the State Board of Pharmacy.

4 Section 2. That § 36-11-6 be repealed.

5 ~~— 36-11-6. The association shall annually receive all fees received for renewal of certificates
6 of registration as a pharmacist in this state. The association may use the funds for payment of
7 expenses of the association, including continuing education, matters related to registration
8 standards for pharmacists, professional service standards, and general operating expenses. The
9 association shall use funds received to pay any legislated assessment to support a diversion
10 program for chemically impaired pharmacists. Expenditures of funds shall be approved by the
11 president and treasurer of the association. The association shall annually file in the office of the
12 board an itemized statement of the receipts of the association and disbursements from the
13 receipts.~~

14 Section 3. That § 36-11-23 be amended to read as follows:

15 36-11-23. Each pharmacist shall annually by October first each year, pay to the South Dakota
16 ~~Pharmacists Association~~ Board of Pharmacy a registry fee to be fixed by the association and
17 adopted by the board in compliance with chapter 1-26, not to exceed one hundred fifty dollars,
18 for which the pharmacist shall receive from the board of pharmacy a renewal of the certificate
19 of registration. Any pharmacist who fails to pay the renewal fee by the due date is subject to
20 suspension of certificate by the board in compliance with chapter 1-26. Any suspended certificate
21 may be reinstated if all delinquent fees have been paid, plus a penalty of ~~twenty-five~~ thirty-five
22 dollars, and the board of pharmacy has approved the application for reinstatement.