

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: H3/19/25

A Bill

HOUSE BILL 1782

5 By: Representatives Hudson, Vaught, D. Garner, Bentley, K. Brown, Cavanaugh, Clowney, Crawford,
6 Ennett, Gonzales Worthen, J. Mayberry, McCullough, T. Shephard, Springer
7 By: Senator J. Scott
8

For An Act To Be Entitled

10 AN ACT TO PROHIBIT OVER-THE-COUNTER DIET PILLS FROM
11 BEING SOLD, TRANSFERRED, OR OTHERWISE FURNISHED TO A
12 PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE; AND FOR
13 OTHER PURPOSES.
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Subtitle

17 TO PROHIBIT OVER-THE-COUNTER DIET PILLS
18 FROM BEING SOLD, TRANSFERRED, OR
19 OTHERWISE FURNISHED TO A PERSON WHO IS
20 UNDER EIGHTEEN YEARS OF AGE.
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code Title 20, Chapter 56, Subchapter 1, is
25 amended to add an additional section to read as follows:

26 20-56-101. Prohibition on over-the-counter diet pills to a person
27 under eighteen years of age.

28 (a) As used in this section:

29 (1)(A) "Over-the-counter diet pills" means a class of drugs that
30 is labeled and marketed under the Federal Food, Drug, and Cosmetic Act, 21
31 U.S.C. § 301 et seq., as existing on January 1, 2025, for the purpose of
32 achieving weight loss that is lawfully sold, transferred, or otherwise
33 furnished without a prescription.

34 (B) "Over-the-counter diet pills" includes a product
35 marketed with a drug facts panel under federal regulations that contains
36 either approved drug ingredients or ingredients deemed adulterated under 21



1 U.S.C. § 342, as existing on January 1, 2025, or both; and

2 (2) "Retail establishment" means a vendor that:

3 (A) In the regular course of business, sells over-the-
4 counter diet pills at retail directly to the public, including without
5 limitation a pharmacy, grocery store, other retail store; or

6 (B) Accept orders placed by mail, telephone, electronic
7 mail, internet website, online catalog, or software application.

8 (b) A retail establishment shall not sell, transfer, or otherwise
9 furnish over-the-counter diet pills to a person who is under eighteen (18)
10 years of age.

11 (c) A retail establishment shall request valid identification from a
12 person who attempts to purchase over-the-counter diet pills if that person
13 reasonably appears to the retail establishment to be under eighteen (18)
14 years of age.

15 (d) The Department of Health may promulgate rules to implement this
16 section that may include determinations as to which over-the-counter diet
17 pills are subject to the requirements of this section.

18 (e)(1) A violation of this section is a deceptive and unconscionable
19 trade practice under § 4-88-107 and is subject to the penalties, remedies,
20 and enforcement provisions under the Deceptive Trade Practices Act, § 4-88-
21 101 et seq.

22 (2) In addition to the penalties under subdivision (e)(1) of
23 this section, the department shall impose a fine not to exceed two thousand
24 dollars (\$2,000) upon a retail establishment that violates this section.

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26 */s/Hudson*

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29 **APPROVED: 4/16/25**