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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 553 Session of  
2011

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INTRODUCED BY VANCE, ERICKSON, RAFFERTY, M. WHITE, BAKER,  
EICHELBERGER, FONTANA, KITCHEN, D. WHITE, YUDICHAK,  
TARTAGLIONE, WAUGH, BREWSTER, ORIE, BOSCOLA, EARLL, STACK AND  
BROWNE, FEBRUARY 17, 2011

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
FEBRUARY 17, 2011

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AN ACT

1 Providing for nonapplicability of certain statutory requirements  
2 setting a minimum retail sales price for prescription generic  
3 drugs.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Prescription  
8 Generic Drug Sales Price Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Prescription generic drug." A generically equivalent drug  
14 as defined in the act of November 24, 1976 (P.L.1163, No.259),  
15 referred to as the Generic Equivalent Drug Law.

16 "Sales at retail." As defined in the act of August 11, 1941  
17 (P.L.900, No.344), known as the Unfair Sales Act.

1 Section 3. Retail sales price of prescription generic drugs.

2 The act of August 11, 1941 (P.L.900, No.344), known as the  
3 Unfair Sales Act, shall not apply to sales at retail of  
4 prescription generic drugs.

5 Section 4. Effective date.

6 This act shall take effect immediately.