

116TH CONGRESS
2D SESSION

H. R. 4812

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2020

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ensuring Compliance
3 Against Drug Diversion Act of 2020”.

4 **SEC. 2. MODIFICATION, TRANSFER, AND TERMINATION OF**
5 **REGISTRATION TO MANUFACTURE, DIS-**
6 **TRIBUTE, OR DISPENSE CONTROLLED SUB-**
7 **STANCES.**

8 Subsection (a) of section 302 of the Controlled Sub-
9 stances Act (21 U.S.C. 822) is amended by adding at the
10 end the following new paragraph:

11 “(3)(A) Except as provided in subparagraph (C), the
12 registration of any registrant under this title to manufac-
13 ture, distribute, or dispense controlled substances or list
14 I chemicals terminates if and when such registrant—

15 “(i) dies;

16 “(ii) ceases legal existence;

17 “(iii) discontinues business or professional prac-
18 tice; or

19 “(iv) surrenders such registration.

20 “(B) In the case of such a registrant who ceases legal
21 existence or discontinues business or professional practice,
22 such registrant shall promptly notify the Attorney General
23 in writing of such fact.

24 “(C) No registration under this title to manufacture,
25 distribute, or dispense controlled substances or list I
26 chemicals, and no authority conferred thereby, may be as-

1 signed or otherwise transferred except upon such condi-
 2 tions as the Attorney General may specify and then only
 3 pursuant to written consent. A registrant to whom a reg-
 4 istration is assigned or transferred pursuant to the pre-
 5 ceding sentence may not manufacture, distribute, or dis-
 6 pense controlled substances or list I chemicals pursuant
 7 to such registration until the Attorney General receives
 8 such written consent.

9 “(D) In the case of a registrant under this title to
 10 manufacture, distribute, or dispense controlled substances
 11 or list I chemicals desiring to discontinue business or pro-
 12 fessional practice altogether or with respect to controlled
 13 substances and list I chemicals (without assigning or
 14 transferring such business or professional practice to an-
 15 other entity), such registrant shall return to the Attorney
 16 General for cancellation—

17 “(i) the registrant’s certificate of registration;
 18 “(ii) any unexecuted order forms in the reg-
 19 istrant’s possession; and
 20 “(iii) any other documentation that the Attor-
 21 ney General may require.”.

22 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

23 The budgetary effects of this Act, for the purpose of
 24 complying with the Statutory Pay-As-You-Go Act of 2010,
 25 shall be determined by reference to the latest statement

1 titled “Budgetary Effects of PAYGO Legislation” for this
2 Act, submitted for printing in the Congressional Record
3 by the Chairman of the House Budget Committee, pro-
4 vided that such statement has been submitted prior to the
5 vote on passage.

Passed the House of Representatives November 17,
2020.

Attest:

CHERYL L. JOHNSON,

Clerk.