



General Assembly

February Session, 2026

Raised Bill No. 227

LCO No. 1615



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING PRESCRIPTION DRUGS AND OVER-THE-COUNTER DIET PILLS AND SUPPLEMENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2026*) (a) As used in this section:

2 (1) "Dietary supplement for weight loss or muscle building" means a
3 class of dietary supplement that is labeled, marketed or otherwise
4 represented for the purpose of achieving weight loss or muscle building,
5 but shall not include (A) protein powders, (B) protein drinks, and (C)
6 foods marketed as containing protein unless the protein powder,
7 protein drink or food marketed as containing protein contains an
8 ingredient other than protein which would, considered alone, constitute
9 a dietary supplement for weight loss or muscle building.

10 (2) "Over-the-counter diet pill" means a class of drugs labeled,
11 marketed or otherwise represented for the purpose of achieving weight
12 loss that are lawfully sold, transferred or furnished over the counter
13 with or without a prescription pursuant to the federal Food, Drug and
14 Cosmetic Act, 21 USC 301 et seq., as amended from time to time, or
15 regulations adopted thereunder.

16 (3) "Retail establishment" means any vendor that, in the regular
17 course of business, sells dietary supplements for weight loss or muscle
18 building or over-the-counter diet pills at retail directly to the public, and
19 includes, but is not limited to, a pharmacy, grocery store, other retail
20 store and vendor that accepts orders placed by mail, telephone,
21 electronic mail, Internet web site, online catalog or software application.

22 (4) "Delivery sale" means any sale of over-the-counter diet pills or
23 dietary supplements for weight loss or muscle building to a consumer
24 if: (A) The consumer submits the order for the sale by means of a
25 telephone or other method of voice transmission, mail or the Internet or
26 other online service, or the seller is otherwise not in the physical
27 presence of the buyer when the request for purchase or order is made;
28 or (B) the over-the-counter diet pills or dietary supplements for weight
29 loss or muscle building are delivered to the buyer by common carrier,
30 private delivery service or other method of remote delivery, or the seller
31 is not in the physical presence of the buyer when the buyer obtains
32 possession of the over-the-counter diet pills or dietary supplements for
33 weight loss or muscle building.

34 (5) "Delivery seller" means a vendor, including an online retailer, who
35 makes delivery sales of over-the-counter diet pills or dietary
36 supplements for weight loss or muscle building, and includes, but is not
37 limited to, a person who accepts orders placed by mail, telephone,
38 electronic mail, Internet web site, online catalog or software application.

39 (6) "Proof of legal age" means: (A) A valid driver's license or
40 nondriver identification card issued by the Commissioner of Motor
41 Vehicles, the federal government, any United States territory,
42 commonwealth or possession, the District of Columbia, a state
43 government within the United States or a provincial government of the
44 dominion of Canada, (B) a valid passport issued by the United States
45 government or any other country, (C) an identification card issued by
46 the armed forces of the United States, demonstrating that the individual
47 is at least eighteen years of age, or (D) a student identification card,

48 provided such card indicates the date of birth of the individual.

49 (b) No natural person, firm, corporation, partnership, association,
50 limited liability company or other entity shall sell or offer to sell or give
51 away, as either a retail or wholesale promotion, an over-the-counter diet
52 pill or dietary supplement for weight loss or muscle building in this
53 state to any person under eighteen years of age. Retail establishments
54 shall require proof of legal age for purchase of such products.
55 Notwithstanding the provisions of this subsection, proof of legal age
56 need not be required of any individual who reasonably appears to be at
57 least twenty-five years of age, provided such appearance shall not
58 constitute a defense in any proceeding alleging the sale of any over-the-
59 counter diet pills and dietary supplements for weight loss or muscle
60 building to an individual under eighteen years of age.

61 (c) Any person operating a retail establishment may perform a
62 transaction scan as a precondition for the purchase of over-the-counter
63 diet pills or dietary supplements for weight loss or muscle building. In
64 any instance where the information obtained by the transaction scan
65 fails to match the proof of legal age, or if the transaction scan indicates
66 that the information is false or fraudulent, the attempted transaction
67 shall be denied. In any proceeding resulting from an alleged violation
68 of this subsection and subsection (b) of this section, it shall be an
69 affirmative defense that (1) the buyer produced proof of legal age
70 apparently issued by a governmental entity, (2) the retail establishment
71 successfully completed a transaction scan, and (3) over-the-counter diet
72 pills or dietary supplements for weight loss or muscle building were
73 sold, delivered or given to such buyer in reasonable reliance upon such
74 identification and transaction scan. In evaluating the applicability of
75 such affirmative defense, a court shall take into consideration any
76 written policy adopted and implemented by the seller to effectuate the
77 provisions of this section. Use of a transaction scan shall not excuse any
78 person operating a retail establishment from the exercise of reasonable
79 diligence otherwise required by this section.

80 (d) A retail establishment or employee of such establishment may
81 electronically or mechanically record and maintain only the information
82 from a transaction scan necessary to effectuate this section. Such
83 information shall be limited to the following: (1) Name, (2) date of birth,
84 (3) driver's license or nondriver identification number, and (4)
85 expiration date. A retail establishment or employee of such
86 establishment shall only use the information recorded and maintained
87 through a transaction scan for the purpose of complying with the
88 provisions of this section. No retail establishment or employee of such
89 establishment shall sell or disseminate the information recorded during
90 such a scan to any third person, including, but not limited to, for the
91 purposes of any advertising, marketing or promotional activities.
92 Notwithstanding the restrictions imposed by this subsection, such
93 records may be released pursuant to a court-ordered subpoena or
94 pursuant to any other applicable law that specifically authorizes the
95 release of such information.

96 (e) A delivery seller, including an online retailer, who mails or ships
97 over-the-counter diet pills or dietary supplements for weight loss or
98 muscle building to consumers (1) shall not sell, deliver or cause to be
99 delivered any over-the counter diet pills or dietary supplements for
100 weight loss or muscle building to a person under eighteen years of age;
101 and (2) shall use a method of mailing or shipping (A) that requires the
102 purchaser placing the delivery sale order, or an adult who is at least
103 eighteen years of age, to sign to accept delivery of the shipping container
104 at the delivery address; and (B) that requires the person who signs to
105 accept delivery of the order to provide proof of legal age.

106 (f) The Commissioner of Consumer Protection may, after notice and
107 a hearing in accordance with chapter 54 of the general statutes, impose
108 a civil penalty of not more than one thousand dollars for each separate
109 violation of the requirements of this section. Upon notice to the
110 defendant of not less than five days, the commissioner or the Attorney
111 General may apply to the Superior Court for a temporary or permanent
112 injunction restraining any person from violating any provision of this

113 section, irrespective of whether or not there exists an adequate remedy
114 at law. If the court determines that the defendant has violated the
115 provisions of this section, the court may issue an injunction enjoining
116 and restraining any further violations, without requiring proof that any
117 person has, in fact, been injured or damaged thereby.

118 (g) When determining whether an over-the-counter diet pill or
119 dietary supplement is labeled, marketed or otherwise represented for
120 the purpose of achieving weight loss or muscle building, the court shall
121 consider, but is not limited to, the following factors: (1) Whether the
122 product contains (A) an ingredient approved by the federal Food and
123 Drug Administration for weight loss or muscle building, (B) a steroid,
124 or (C) creatine, green tea extract, raspberry ketone, garcinia cambogia or
125 green coffee bean extract; (2) whether the product's labeling or
126 marketing bears statements or images that express or imply that the
127 product will help (A) modify, maintain or reduce body weight, fat,
128 appetite, overall metabolism or the process by which nutrients are
129 metabolized, or (B) maintain or increase muscle or strength; (3) whether
130 the product or its ingredients are otherwise represented for the purpose
131 of achieving weight loss or building muscle; or (4) whether the retailer
132 has categorized the dietary supplement for weight loss or muscle
133 building by (A) placing signs, categorizing, or tagging the supplement
134 with statements described in subdivision (2) of this subsection, (B)
135 grouping the supplements with other weight loss or muscle building
136 products in a display, advertisement, webpage, or area of the store, or
137 (C) otherwise representing that the product is for weight loss or muscle
138 building.

139 Sec. 2. Section 20-579a of the 2026 supplement to the general statutes
140 is repealed and the following is substituted in lieu thereof (*Effective*
141 *October 1, 2026*):

142 (a) As used in this section, ["reproductive health care services" and
143 "gender-affirming health care services" have the same meanings as
144 provided] "legally protected health care activity" means the provision of

145 reproductive health care services and gender-affirming health care
146 services, as defined in section 52-571m.

147 (b) Notwithstanding any provision of this chapter, the Commissioner
148 of Consumer Protection and the Commission of Pharmacy shall not
149 deny the eligibility of an applicant for a license, permit or registration
150 under this chapter based on pending disciplinary action, an unresolved
151 complaint, [or] the imposition of disciplinary action or other adverse
152 action against the applicant by a duly authorized professional
153 disciplinary agency of another state, the District of Columbia, [or] a
154 commonwealth, territory or possession of the United States or any
155 federal entity that is based solely on the alleged provision or practice of,
156 receipt of, assistance in provision or receipt of, material support for, or
157 any theory of vicarious, joint, several or conspiracy liability derived
158 therefrom, [reproductive health care services or gender-affirming health
159 care services that are] legally protected health care activity that is
160 permitted under the laws of this state and [were] was provided in
161 accordance with the standard of care applicable to such services. [,
162 regardless of whether the patient receiving such services was a resident
163 of this state.] The provisions of this subsection shall not apply where the
164 underlying conduct of the applicant would constitute the basis of
165 disciplinary action against the applicant under the laws of this state if
166 the applicant had been licensed, permitted or registered in this state and
167 the conduct had occurred in this state.

168 (c) Notwithstanding any provision of this chapter, the Commissioner
169 of Consumer Protection and the Commission of Pharmacy shall not
170 impose disciplinary action against any person licensed, permitted or
171 registered pursuant to the provisions of this chapter based on pending
172 disciplinary action, an unresolved complaint, [or] the imposition of
173 disciplinary action or other adverse action against the applicant by a
174 duly authorized professional disciplinary agency of another state, the
175 District of Columbia, [or] a commonwealth, territory or possession of
176 the United States or any federal entity that is based solely on the alleged
177 provision or practice of, receipt of, assistance in provision or receipt of,

178 material support for, or any theory of vicarious, joint, several or
179 conspiracy liability derived therefrom, [reproductive health care
180 services or gender-affirming health care services that are] legally
181 protected health care activity that is permitted under the laws of this
182 state and [were] was provided in accordance with the standard of care
183 applicable to such services. [, regardless of whether the patient receiving
184 such services was a resident of this state.] The provisions of this
185 subsection shall not apply where the underlying conduct of the person
186 licensed, permitted or registered would constitute the basis of
187 disciplinary action against such person under the laws of this state if
188 such person had been licensed, permitted or registered in this state and
189 the conduct had occurred in this state.

190 Sec. 3. Section 19a-509c of the general statutes is repealed and the
191 following is substituted in lieu thereof (*Effective October 1, 2026*):

192 In a facility licensed pursuant to this chapter, a physician assistant,
193 advanced practice registered nurse, registered nurse or licensed
194 practical nurse may, except with respect to an order for schedule II
195 controlled substances, reduce to writing the oral or written order of a
196 prescribing practitioner, as defined in section 20-571, and transmit the
197 order to a pharmacy licensed under sections 20-570 to 20-625, inclusive.
198 Such transmitted order shall contain the name of the prescribing
199 practitioner and shall be treated as a written prescription for purposes
200 of sections 20-570 to 20-625, inclusive, except that, to the extent
201 allowable under federal law, at the prescribing practitioner's request,
202 the written or electronic prescription for drugs related to legally
203 protected health care activity, as defined in section 20-579a, as amended
204 by this act, shall include the name and address of the prescribing and
205 dispensing health care practice or facility instead of the name and
206 signature of the prescribing practitioner.

207 Sec. 4. Section 20-614 of the general statutes is amended by adding
208 subsection (g) as follows (*Effective October 1, 2026*):

209 (NEW) (g) Notwithstanding the provisions of subsections (a) to (c),
210 inclusive, of this section, to the extent allowable under federal law, at
211 the prescribing practitioner's request, the written or electronic
212 prescription for drugs related to legally protected health care activity, as
213 defined in section 20-579a, as amended by this act, shall include the
214 name and address of the prescribing and dispensing health care practice
215 or facility instead of the name and signature of the prescribing
216 practitioner.

217 Sec. 5. Section 20-617 of the general statutes is amended by adding
218 subsection (d) as follows (*Effective October 1, 2026*):

219 (NEW) (d) Notwithstanding the provisions of subsections (a) to (c),
220 inclusive, of this section, to the extent allowable under federal law, at
221 the prescribing practitioner's request, the written or electronic
222 prescription and label of each prescription for drugs related to legally
223 protected health care activity, as defined in section 20-579a, as amended
224 by this act, shall include the name and address of the prescribing and
225 dispensing health care practice or facility instead of the name of the
226 prescribing practitioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	New section
Sec. 2	<i>October 1, 2026</i>	20-579a
Sec. 3	<i>October 1, 2026</i>	19a-509c
Sec. 4	<i>October 1, 2026</i>	20-614(g)
Sec. 5	<i>October 1, 2026</i>	20-617(d)

Statement of Purpose:

To prohibit marketing of certain weight loss pills and supplements to minors and enact legal and privacy protections for prescribers of prescription drugs for reproductive and gender-affirming health care.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]