

VIRGINIA ACTS OF ASSEMBLY - 2026 RECONVENED SESSION

CHAPTER 987

An Act to amend the Code of Virginia by adding a section numbered 18.2-251.6, relating to selling, giving, or distributing a tianeptine product; civil penalty.

[S 106]

Approved April 22, 2026

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-251.6 as follows:

§ 18.2-251.6. *Selling, giving, or distributing tianeptine product; civil penalty.*

A. For purposes of this section, "tianeptine product" means a product that is marketed for human consumption containing any amount of tianeptine, which is classified as a Schedule I controlled substance pursuant to § 54.1-3446.

B. A retail establishment that sells, gives, or distributes a tianeptine product, without a prescription, is subject to a civil penalty in the amount of \$2,500 for a first violation and a civil penalty in the amount of \$5,000 for a second or subsequent violation within a three-year period. For any violation of this section by an employee of a retail establishment, such penalty shall be assessed against the establishment.

C. Any attorney for the Commonwealth of the locality in which an alleged violation occurred may bring an action to recover the civil penalty, which shall be paid into the state treasury. Any law-enforcement officer may issue a summons for a violation of subsection B.

D. The provisions of this section shall not preclude prosecution under any other statute.