

March 21, 2007

H 953. REGULATE SALES/GLASS VIALS & CIGARETTE WRAP. Filed 3/21/07. *TO PROVIDE THAT GLASS VIALS THAT ARE A CERTAIN LENGTH AND DIAMETER THAT MAY BE USED AS DRUG PARAPHERNALIA AND CIGARETTE WRAPPING PAPERS SHALL BE SOLD FROM BEHIND THE COUNTER AND TO REQUIRE THAT A PURCHASER PROVIDE CERTAIN IDENTIFYING INFORMATION WHEN PURCHASING THESE PRODUCTS.*

Enacts a new GS Chapter 90, Article 5F entitled "Control of Certain Products That May Be Used as Drug Paraphernalia." Requires certain glass vials and cigarette wrapping papers to be stored and sold behind the counter, and for vendors to require identification and to make a record of the sale, which must be maintained for a specified period of time. Violation of the statute is a crime. First offenses by retailers are Class 2 misdemeanors, and second or subsequent offenses are Class 1 misdemeanors. A third offense bars a retailer from selling glass vials. Violations by purchasers or employees are Class 3 misdemeanors for first offenses, and Class 2 misdemeanors for second offenses, and Class 1 misdemeanors for third or subsequent offenses. Fines apply for failure to adequately supervise or discipline employees. Provides for immunity from civil liability. Effective December 1, 2007.

Intro. by Hilton, R. Warren.

GS 90

April 23, 2007

H 953. REGULATE SALES/GLASS VIALS & CIGARETTE WRAP. Filed 3/21/07. House committee substitute makes the following changes to 1st edition. Modifies proposed GS 90-113.80 to provide that a retailer must require employees involved in selling glass vials or cigarette wrapping paper to be trained in the statute's requirements. Also requires the retailer to supervise employees to make sure they are in compliance with the statute. Modifies proposed GS 90-113.81 to change the proposed penalties for retailers who willfully and knowingly violate GS 90-113.80 as follows: (1) from a Class 2 to a Class 3 misdemeanor for the first offense, (2) from a Class 1 to a Class 2 misdemeanor for a second offense, and (3) to a Class 1 misdemeanor for a third or subsequent offense occurring on the same premises or in another establishment owned or operated by the same retailer (was, a retailer convicted of a third offense occurring on the premises of a single establishment must be prohibited from selling glass vials at that establishment). Removes penalties for violations by purchasers or employees, and for retailers failing to adequately supervise employees.