

March 19, 2009

**H 722. REGULATE SALES OF GLASS VIALS.** Filed 3/19/09. *TO PROVIDE THAT GLASS VIALS THAT ARE A CERTAIN LENGTH AND DIAMETER THAT MAY BE USED AS DRUG PARAPHERNALIA 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 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. The retailer must require that employees be trained in the requirements of the statute. Provides that the retailer has a duty to supervise employees in complying with the statute. Violations of the statute are punishable as follows: first offenses by retailers are Class 3 misdemeanors, second offenses are Class 2 misdemeanors, and third or subsequent offenses are Class 1 misdemeanors. Provides for immunity from civil liability. Effective for offenses committed on or after December 1, 2009.

**Intro. by Hilton.**

GS 90

April 9, 2009

**H 722. REGULATE SALES OF GLASS VIALS.** Filed 3/19/09. House committee substitute makes the following changes to 1st edition. Replaces references to "glass vials" with references to "glass tubes" and defines glass tubes as tubes of glass that are two to seven inches long and one-eighth to three-fourths inches in diameter that may be used as drug stems including, but not limited to, glass tubes or vials that often hold novelty items, glass pens, and any object with a glass tube capable of being disassembled. Makes act applicable to employees of retailers. Makes clarifying changes and a conforming change to the title.

May 7, 2009

**H 722. PARAPHERNALIA CONTROL ACT (NEW).** Filed 3/19/09. House committee substitute makes the following changes to 2nd edition. Changes the title to *AN ACT TO PROVIDE FOR THE REGULATION OF CERTAIN DEVICES THAT MAY BE USED AS DRUG PARAPHERNALIA*. Moves the definitions in proposed GS 90-113.80(a) of the 2nd edition to a new section GS 90-113.81 and makes stylistic and clarifying changes to the definition of *glass tube*, and adds a new defined term, *splitter*.

Makes it a Class 2 misdemeanor for a retailer or an employee of the retailer who willfully and knowingly violates the new section GS 90-113.82 (substantially similar to GS 90-113.80 in the 2nd edition), while the 2nd edition made it a Class 3 misdemeanor for the first offense, a Class 2 misdemeanor for the second offense, and a Class 1 misdemeanor for the third or subsequent offense. Also makes it a Class 1 misdemeanor for any person to knowingly make a false statement or representation in fulfilling the requirements of GS 90-113.82(b). Deletes that (1) provisions restricting the sale of glass tubes do not apply to the sale of plastic tubes and (2) a retailer has a duty to supervise employees in complying with the provisions. Moves the language prohibiting a retailer to retaliate against an employee who reports a violation of the new Article 5F from GS 90-113.82 (where it was in the 2nd edition) to a new subsection GS 95-241(a)(1)h. Makes technical, conforming, and stylistic changes.

May 11, 2009

**H 722. PARAPHERNALIA CONTROL ACT.** Filed 3/19/09. House amendment makes the following changes to 3rd edition. In definition of *splitter*, refers to "wrapped" tobacco product or "wrapping" of tobacco product, instead of "paper-wrapped" or "paper wrapping."

June 10, 2009

**H 722. PARAPHERNALIA CONTROL ACT.** Filed 3/19/09. Senate amendment makes the following changes to 4th edition. Changes definition of a retailer who is subject to the proposed drug Paraphernalia Control Act to include retailers of "splitters" for slicing tobacco products.

June 29, 2009

**SL 2009-205 (H 722). PARAPHERNALIA CONTROL ACT. AN ACT TO PROVIDE FOR THE REGULATION OF CERTAIN DEVICES THAT MAY BE USED AS DRUG PARAPHERNALIA.** Summarized in *Daily Bulletin* 3/19/09, 4/9/09, 5/7/09, 5/11/09, and 6/10/09. Enacted June 26, 2009. Effective December 1, 2009.