

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 888
PROPOSED COMMITTEE SUBSTITUTE H888-PCS10399-RV-35

Short Title: Study Drug Laws/Ellison v. Treadway.

(Public)

Sponsors:

Referred to:

April 15, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY
3 ISSUES RELATED TO THE POSSESSION OF CERTAIN PRESCRIPTION DRUGS
4 AND THE CRIMINAL PENALTY FOR THAT OFFENSE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** The Legislative Research Commission is authorized to study the
7 illegal sale, delivery, transportation, or possession of pills, tablets, or capsules of a controlled
8 substance that contains an opiate as defined in G.S. 90-87(18) combined with a noncontrolled
9 substance, and that is a commercial drug product with FDA approval manufactured and
10 distributed by a pharmaceutical company lawfully doing business in the United States. The
11 Commission shall report its findings and recommendations to the General Assembly by March
12 1, 2014. The study shall include a determination of the appropriate criminal penalty for the
13 offenses involved and shall include consideration of the following:

- 14 (1) The various types of transactions involving prescription drugs.
15 (2) The difference between the possession and sale of a prescription drug.
16 (3) Dosages and strengths of the prescription drugs.
17 (4) The weight or number of pills involved in the offense.

18 **SECTION 2.** The membership of the study committee shall consist of seven
19 members appointed by the Speaker of the House of Representatives, and shall include five
20 members of the House of Representative and a representative from each of the following:

- 21 (1) North Carolina Advocates for Justice.
22 (2) The Conference of District Attorneys.

23 **SECTION 3.** This act is effective when it becomes law.



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