

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 392

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H392-ATK-109 [v.7]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [NO]
Fourth Edition

Date _____, 2013

Senator Goolsby

1 moves to amend the bill on page 2, line 43, by rewriting the line to read:

2
3 "of the State Controller, the Administrative Office of the Courts, the Department of Justice, the
4 State Bureau of Investigation, and the Department of Public";

5
6 and on page 3, line 21, by deleting the phrase "114-19.33." and substituting the phrase "114-
7 19.34.";

8
9 and to further amend the bill on page 3, lines 23-31, by rewriting the lines to read:

10
11 "Upon receipt of a request from a county department of social services, the Department of
12 Justice shall, to the extent allowed by federal law, provide to the county department of social
13 services the criminal history of an applicant for, or recipient of, program assistance under Part 2
14 or Part 5 of Article 2 of Chapter 108A. The county department of social services shall provide
15 to the Department of Justice, along with the request, the fingerprints of the individual to be
16 checked, any additional information required by the Department of Justice, and a form signed
17 by the individual to be checked consenting to the check of the criminal record and to the use of
18 fingerprints and other identifying information required by the State or National Repositories.
19 The fingerprints of the individual to be checked shall be forwarded to the State Bureau of
20 Investigation for a search of the State's criminal history record file, and the State Bureau of
21 Investigation shall forward a set of fingerprints to the Federal Bureau of Investigation for a
22 national criminal history record check. The Department of Justice may charge a reasonable fee
23 only for conducting the checks of the criminal history records authorized by this section.
24 Except as provided under G.S. 108A-26.1, the county department of social services shall keep
25 all information obtained pursuant to this section confidential.";

26
27 And to further amend the bill on page 4, lines 5-7, by rewriting the lines to read:

28
29 "drug tests will remain confidential and will not be released to law enforcement. Dependent
30 children";



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Page 2 of 2

1 And to further amend the bill on page 4, lines 21-22, by inserting the following between the
2 lines:

3
4 "(6) That each applicant or recipient who fails a drug test be provided with
5 information regarding substance abuse, substance abuse counseling, and
6 substance abuse treatment options, including a list of substance abuse
7 treatment programs that may be available to the individual.";

8
9 And to further amend the bill on page 5, lines 4-9, by rewriting the line to read:

10
11 "(g) For the purposes of this section, reasonable suspicion that an applicant for, or recipient
12 of, Work First Program assistance is engaged in the illegal use of controlled substances may be
13 established only by utilizing the following methods:

- 14 1. A criminal record check conducted under G.S. 114-19.34 that discloses a
15 conviction, arrest, or outstanding warrant relating to illegal controlled
16 substances within the three years prior to the date the criminal record check
17 is conducted.
- 18 2. A determination by a Qualified Professional in Substance Abuse or a
19 physician certified by the American Society of Addiction Medicine that an
20 individual is addicted to illegal controlled substances.
- 21 3. A screening tool relating to the abuse of illegal controlled substances that
22 yields a result indicating that the applicant or recipient may be engaged in
23 the illegal use of controlled substances.
- 24 4. Other screening methods, as determined by the Social Services Commission
25 under subsection (d) of this section."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**