

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

AMENDMENT NO. A8
(to be filled in by
Principal Clerk)

H259-AMGf-22 [v.2]

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Amends Title [NO]
Fourth Edition

Date _____, 2023

Senator Marcus

1 moves to amend the bill on page 180, lines 47-48,
2 by inserting between those lines the following new section:

3
4 **"CERTIFICATION OF CRISIS PREGNANCY CENTERS/CERTIFICATION FEE**

5 **SECTION 9F.11.(a)** Article 16 of Chapter 131E of the General Statutes is amended
6 by adding a new section to read:

7 **"§ 131E-269.5. Certification of Crisis Pregnancy Centers.**

8 (a) No person shall operate a crisis pregnancy center without obtaining certification from
9 the Department as a facility suitable for the provision of crisis pregnancy services. As used in
10 this section, "crisis pregnancy center" means a nonprofit organization, other than a hospital,
11 ambulatory surgical facility, or clinic that performs abortions, that holds itself out as a facility
12 that provides care for pregnant women, including pregnancy counseling services, pregnancy
13 testing, and other non-medical pregnancy services.

14 (b) Applications for certification shall be available from the Department, and each
15 application filed with the Department shall contain all necessary and reasonable information that
16 the Department may by rule require. The Department shall grant certification to the applicant
17 upon a determination by the Department that the applicant has complied with this section and
18 any rules adopted under this section. The Department shall charge the applicant a nonrefundable
19 annual certification fee in the amount of seven hundred dollars (\$700).

20 (c) Each certification shall be issued only for the premises and persons named in the
21 application and shall not be transferable or assignable except with the written approval of the
22 Department.

23 (d) Certifications shall be posted in a conspicuous place on the certified premises.

24 (e) The Department shall adopt rules pertaining to the certification of crisis pregnancy
25 centers. The Department is authorized to apply any relevant requirement for the certification of
26 clinics that perform abortions to the standards applicable to crisis pregnancy centers certified by
27 the Department as suitable for the provision of crisis pregnancy services. The rules shall ensure
28 that standards for crisis pregnancy centers certified by the Department address patient care at the
29 center, protect patient privacy, provide quality assurance, and ensure that patients experiencing
30 pregnancy complications receive a referral for any necessary medical attention.

31 (f) The Department shall enforce the rules adopted for the certification of crisis
32 pregnancy centers."



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1 **SECTION 9F.11.(b)** The Department may adopt temporary rules to implement
2 G.S. 131E-269.5, as enacted by this section, until such time as permanent rules are adopted. No
3 later than September 1, 2023, and every six months thereafter, the Department of Health and
4 Human Services shall report to the Joint Legislative Oversight Committee on Health and Human
5 Services and the Fiscal Research Division on its progress in adopting temporary and permanent
6 rules to implement said section G.S. 131E-269.5.

7 **SECTION 9F.11.(c)** Crisis pregnancy centers that are currently operating in this
8 State shall apply for certification under G.S. 131E-269.5, as enacted by this section, and may not
9 operate beyond December 31, 2023, without having obtained such certification.

10 **SECTION 9F.11.(d)** Subsection (a) of this section becomes effective October 1,
11 2023. The remainder of this section is effective when it becomes law."; and

12
13 on page 198, line 38, through page 199, line 2,
14 by deleting those lines; and

15
16 on page 200, line 27, through page 201, line 13,
17 by deleting those lines and substituting the following in lieu thereof:

18
19 **"INCREASED FUNDING FOR MATERNAL AND CHILD HEALTH**

20 **SECTION 9H.11A.(a)** Notwithstanding the Committee Report referenced in
21 Section 43.2 of this act or any other provision of law to the contrary, funds appropriated in this
22 act from the ARPA Temporary Savings Fund to the Department of Health and Human Services
23 (DHHS) are increased by the nonrecurring sum of six million dollars (\$6,000,000) for the
24 2023-2024 fiscal year, in Fund Code 1910 – Reserves and Transfers, to be allocated and used for
25 programs and services that support maternal and child health. The DHHS may transfer a portion
26 of these allocated funds to the Division of Child and Family Well-Being, in an amount the DHHS
27 determines necessary, to support programs and services that address children's physical, mental,
28 and behavioral health and well-being, school health, and child nutrition.

29 **SECTION 9H.11A.(b)** Notwithstanding the Committee Report referenced in
30 Section 43.2 of this act or any other provision of law to the contrary, funds appropriated in this
31 act from the ARPA Temporary Savings Fund to the Department of Health and Human Services,
32 Division of Public Health, in Fund Code 1110 for the Carolina Pregnancy Care Fellowship are
33 decreased by the nonrecurring sum of six million dollars (\$6,000,000) for the 2023-2024 fiscal
34 year."; and

35
36 on page 209, lines 22-23, by inserting between those lines the following new section:

37
38 **"RESPONSIBILITY OF BIOLOGICAL FATHER TO PROVIDE HEALTH**
39 **INSURANCE**

40 **SECTION 9J.14.** G.S. 50-13.11 reads as rewritten:

41 **"§ 50-13.11. Orders and agreements regarding medical support and health insurance**
42 **coverage for pregnant person; minor children.**

43 ...

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1 (a1) The court shall order the parent of a minor child or other responsible party to maintain
2 health insurance for the benefit of the child when health insurance is available at a reasonable
3 cost. If health insurance is not presently available at a reasonable cost, the court shall order the
4 parent of a minor child or other responsible party to maintain health insurance for the benefit of
5 the child when health insurance becomes available at a reasonable cost. As used in this
6 subsection, health insurance for the benefit of the child is considered reasonable in cost if the
7 coverage for the child is available at a cost to the parent that does not exceed five percent (5%)
8 of the parent's gross income. In applying this standard, the cost is the cost of (i) adding the child
9 to the parent's existing coverage, (ii) child-only coverage, or (iii) if new coverage must be
10 obtained, the difference between the cost of self-only and family coverage. The court may require
11 one or both parties to maintain dental insurance.

12 (a2) Notwithstanding subsection (a1) of this section, the court shall order the biological
13 father of a child to pay the mother's pregnancy expenses, including expenses incurred up to six
14 months post-partum. If paternity is disputed, a biological father has no duty under this subsection
15 until the biological father's paternity is established.

16"; and

17
18 on page 213, lines 34-35, by inserting between those lines the following new section:

19
20 **"RIGHT TO USE CONTRACEPTION**

21 **SECTION 9L.5.(a)** Chapter 90 of the General Statutes is amended by adding a new
22 Article to read:

23 "Article 44.

24 "Right to Use Contraception.

25 **"§ 90-751.1. Title.**

26 This Article may be cited as the "Right to Use Contraception Act."

27 **"§ 90-751.2. Legislative declaration.**

28 The right to use contraception implicates the fundamental liberty to prevent pregnancy. It is
29 the policy of the State of North Carolina that this State has no legitimate governmental interest
30 in limiting the freedom to use contraception to prevent pregnancy."

31 **SECTION 9L.5.(b)** This section is effective when it becomes law."; and

32
33 on page 221, lines 19-20, by rewriting those lines to read:

34
35 "Coordinator Contracts \$440,000) 3,914,007 3,914,007"; and

36
37 on page 228, lines 49-51, by deleting those lines; and

38
39 on page 314, lines 22-23, by inserting between those lines the following new section:

40
41 **"MISDEMEANOR CRIME OF DOMESTIC VIOLENCE/EFFECTIVE DATE AND**
42 **STATUTE OF LIMITATIONS**

43 **SECTION 19G.6.(a)** Section 8.3(c) of S.L. 2023-14 reads as rewritten:

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1 "**SECTION 8.3.(c)** This section ~~becomes effective December 1, 2023,~~ is effective when it
2 becomes law, and applies to offenses committed on or after that date."
3 **SECTION 19G.6.(b)** G.S. 15-1(b) reads as rewritten:
4 "(b) Notwithstanding subsection (a) of this section, the following misdemeanors shall be
5 charged within 10 years of the commission of the crime:
6 ...
7 (6) G.S. 14-32.5."
8 **SECTION 19G.6.(c)** This section is effective when it becomes law."; and
9
10 by adjusting the appropriate totals accordingly.

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**