

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 190

AMENDMENT NO. A9
(to be filled in by
Principal Clerk)

H190-ABC-41 [v.3]

Page 1 of 2

Amends Title [YES]
Fourth Edition

Date _____, 2023

Senator Meyer

1 moves to amend the bill on page 1, line 3, by inserting the following before the period:
2 "AND TO PROHIBIT THE TRACKING OF INDIVIDUALS WHO PURCHASE
3 EMERGENCY CONTRACEPTION";

4
5 and on page 23, lines 17-18, by inserting the following between the lines:
6 "**PART XIII-H. PROHIBIT TRACKING OF EMERGENCY CONTRACEPTION SALES**
7 **SECTION 13H.1.(a)** Chapter 66 of the General Statutes is amended by adding a
8 new Article to read:

9 "Article 51

10 "Emergency Contraception Financial Privacy Act

11 "§ 66-501. Definitions.

12 The following definitions apply in this Article:

- 13 (1) Emergency contraception. – Levonorgestrel or any other drug, drug regimen,
14 or device approved by the federal Food and Drug Administration to prevent
15 pregnancy when administered after sexual contact, including prescription and
16 over-the-counter hormonal emergency contraception.
- 17 (2) Payment card network. – An entity involved in facilitating or processing an
18 electronic transfer of funds between a merchant and a customer using a
19 payment card. This term does not include the following:
 - 20 a. A bank holding federally insured deposits from individuals.
 - 21 b. A credit union holding federally insured deposits from individuals
- 22 (3) Payment code. – Any code or other indicator that identifies to a payment card
23 network, merchant, or bank whether a purchase was made for emergency
24 contraception.

25 "§ 66-502. Prohibitions.

- 26 (a) No merchant, payment card network, bank, or retailer in this State may assign a
27 payment code or any other code which may identify that a purchase or transaction was made for
28 emergency contraception.
- 29 (b) No merchant, payment card network, bank, or retailer in this State may knowingly
30 maintain a record of individuals in this State who have purchased emergency contraception.



* H 1 9 0 - A B C - 4 1 - V - 3 *

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 190

TABLED

AMENDMENT NO. A9
(to be filled in by
Principal Clerk)

H190-ABC-41 [v.3]

Page 2 of 2

1 (c) No merchant, payment card network, bank, or retailer in this State may knowingly
2 maintain information which may disclose the identity of any individual who has purchased
3 emergency contraception."
4 **SECTION 13H.1.(b)** This section becomes effective July 1, 2023."
5
6
7
8
9
10

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____