

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 328
PROPOSED COMMITTEE SUBSTITUTE H328-PCS40300-BP-2

Short Title: Ban Delta-8 & Delta-9 on School Grounds.

(Public)

Sponsors:

Referred to:

March 10, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO BAN DELTA-8 AND DELTA-9 PRODUCTS FROM SCHOOL GROUNDS AND
3 TO CLARIFY THAT VAPOR PRODUCTS ARE BANNED ON SCHOOL GROUNDS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 29A of Chapter 115C of the General Statutes reads as rewritten:

6 "Article 29A.

7 "Policy Prohibiting Use Of Tobacco Products and Hemp-Derived Consumable Products.

8 "**§ 115C-407. Policy prohibiting tobacco product and hemp-derived consumable product**
9 **use in school buildings, grounds, and at school-sponsored events.**

10 (a) ~~Not later than August 1, 2008, local boards of education~~ Governing bodies of public
11 school units shall adopt, implement, and enforce ~~adopt~~ a written policy prohibiting at all times
12 the use of any tobacco product or hemp-derived consumable product by any person in school
13 buildings, in school facilities, on school campuses, and in or on any other school property owned
14 or operated by the ~~local school administrative~~ public school unit. The policy shall further prohibit
15 the use of all tobacco products and hemp-derived consumable products by persons attending a
16 school-sponsored event at a location not listed in this subsection when in the presence of students
17 or school personnel or in an area where smoking is otherwise prohibited by law.

18 (b) The policy shall include at least all of the following elements:

19 (1) Adequate notice to students, parents, the public, and school personnel of the
20 policy.

21 (2) Posting of signs prohibiting at all times the use of tobacco products and
22 hemp-derived consumable products by any person in and on school property.

23 (3) Requirements that school personnel enforce the policy.

24 (c) The policy may permit tobacco products or hemp-derived consumable products to be
25 included in instructional or research activities in public school buildings if the activity is
26 conducted or supervised by the faculty member overseeing the instruction or research and the
27 activity does not include smoking, chewing, or otherwise ingesting the tobacco product or
28 hemp-derived consumable product.

29 (d) ~~The North Carolina Health and Wellness Trust Fund Commission Tobacco~~
30 Prevention and Control Branch shall work with ~~local boards of education~~ governing bodies of
31 public school units to provide assistance with the implementation of this policy including
32 providing information regarding smoking cessation and prevention resources. Nothing in this
33 section, G.S. 143-595 through G.S. 143-601, or any other section prohibits a ~~local board of~~
34 education governing body of a public school unit from adopting and enforcing a more restrictive
35 policy on the use of tobacco products or hemp-derived consumable products in school buildings,



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1 in school facilities, on school campuses, or at school-related or school-sponsored events, and in
2 or on other school property.

3 (e) For the purposes of this section, the following definitions apply:

4 (1) Hemp-derived consumable product. – A product intended for human
5 consumption or inhalation that contains any phytocannabinoid found in hemp,
6 including delta-9 tetrahydrocannabinol (delta-9 THC), tetrahydrocannabinolic
7 acid (THCA), cannabidiol (CBD), cannabidiolic acid (CBDA), cannabinol
8 (CBN), cannabigerol (CBG), cannabichromene (CBC), cannabicyclol (CBL),
9 cannabivarin (CBV), tetrahydrocannabivarin (THCV), cannabidivarin
10 (CBDV), cannabicitran (CBT), delta-7 tetrahydrocannabinol (delta-7 THC),
11 delta-8 tetrahydrocannibinol (delta-8 THC), or delta-10 tetrahydrocannibinol
12 (delta-10 THC). This term also includes any synthetic cannabinoid derived
13 from hemp and contained in a hemp-derived consumable product. This term
14 does not include hemp products intended for topical application or seeds or
15 seed-derived ingredients that are generally recognized as safe by the United
16 States Food and Drug Administration (FDA).

17 (2) Tobacco product. – As defined in G.S. 14-313, including vapor products.

18 (3) Vapor product. – As defined in G.S. 14-313."

19 **SECTION 2.** G.S. 115C-562.5(a) is amended by adding a new subdivision to read:

20 "(7a) For any school facility in which students attend in-person classes, the school
21 shall adopt a policy that is consistent with the requirements of Article 29A of
22 this Chapter to prohibit the use of tobacco products or hemp-derived
23 consumable products on school grounds."

24 **SECTION 3.** This act is effective when it becomes law and applies beginning with
25 the 2025-2026 school year.