



HOUSE BILL 224: Protect NC Opioid Settlement Payments.

2023-2024 General Assembly

Committee:	House Judiciary 1. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 22, 2023
Introduced by:	Reps. Sasser, Ball, Bell, Setzer	Prepared by:	Brad Krehely
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *House Bill 224 would prohibit the assertion of any released claims against any released entities in order secure the full share to which the State and its Units of Local Government are entitled pursuant to the final consent judgments of the opioid litigation.*

BILL ANALYSIS:

Section 1 enacts Article 7 of Chapter 122C of the General Statutes, which does the following:

- **G.S. 122C-470.2** creates definitions, including "Initial Opioid Consent Judgments", "Initial Released Claim", "Initial Released Entity", "Subsequent Released Claim", "Subsequent Released Entity" and "Subsequent Opioid Settlement Agreements".
- **G.S. 122C-470.4** outlines eleven findings related to the opioid epidemic, the subsequent litigation, the State's \$750,000,000 share of the Initial Opioid Consent Judgment, and the State's \$600,000,000 share of the Subsequent Opioid Settlement Agreements. The findings note the State and its Units of Local Government can secure the full share only if opioid litigation in the State asserting Initial Released Claims against Initial Released Entities and Subsequent Released Claims against Subsequent Released Entities comes to an end with no new claims.
- **G.S. 122C-470.6** explains the intent of the Article is to help secure the full share to which the State, its Units of Local Government, and its people are entitled to by preventing the assertion of Initial Released Claims and Subsequent Released Claims against Initial Released Entities and Subsequent Released Entities by the State and its Units of Local Government.
- **G.S. 122C-470.8** prohibits a Unit of Local Government and the State from asserting Initial Released Claims against Initial Released Entities and Subsequent Released Claims against Subsequent Released Entities. The State would be allowed to initiate civil actions as contemplated in the Subsequent Opioid Settlement Agreements.
- **G.S. 122C-470.10** preserves all remedies available to the State or any Unit of Local Government under the Initial Opioid Consent Judgments and Subsequent Opioid Settlement Agreements.

Section 2 notes the prohibition on asserting claims applies to all Initial Released Claims, whether asserted before or after the effective date of this act.

Section 3 notes the prohibition on asserting claims applies to all Subsequent Released Claims with exceptions.

EFFECTIVE DATE: This act would be effective when it becomes law.

*Jessica Boney, Staff Attorney, contributed substantially to this summary.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578