

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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**HOUSE BILL 888
Committee Substitute Favorable 5/14/13**

Short Title: Study Drug Laws/Ellison v. Treadway.

(Public)

Sponsors:

Referred to:

April 15, 2013

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY
ISSUES RELATED TO THE POSSESSION OF CERTAIN PRESCRIPTION DRUGS
AND THE CRIMINAL PENALTY FOR THAT OFFENSE.

The General Assembly of North Carolina enacts:

SECTION 1. The Legislative Research Commission is authorized to study the illegal sale, delivery, transportation, or possession of pills, tablets, or capsules of a controlled substance that contains an opiate as defined in G.S. 90-87(18) combined with a noncontrolled substance, and that is a commercial drug product with FDA approval manufactured and distributed by a pharmaceutical company lawfully doing business in the United States. The Commission shall report its findings and recommendations to the General Assembly by March 1, 2014. The study shall include a determination of the appropriate criminal penalty for the offenses involved and shall include consideration of the following:

- (1) The various types of transactions involving prescription drugs.
- (2) The difference between the possession and sale of a prescription drug.
- (3) Dosages and strengths of the prescription drugs.
- (4) The weight or number of pills involved in the offense.

SECTION 2. The membership of the study committee shall consist of seven members appointed by the Speaker of the House of Representatives, and shall include five members of the House of Representative and a representative from each of the following:

- (1) North Carolina Advocates for Justice.
- (2) The Conference of District Attorneys.

SECTION 3. This act is effective when it becomes law.



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