

# TABLED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 563

AMENDMENT NO. A2  
(to be filled in by  
Principal Clerk)

H563-ACE-137 [v.4]

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Amends Title [YES]  
Sixth Edition

Date \_\_\_\_\_, 2024

Senator Applewhite

1 moves to amend the bill on page 1, line 11, by adding the following at the end of the line and  
2 before the period:  
3

4 "AND TO ENACT THE FREEDOM FROM FENTANYL ACT TO RESTRICT THE SALE OF  
5 VAPOR PRODUCTS NEAR CHILD CARE FACILITIES, SCHOOLS, CERTAIN  
6 INSTITUTIONS OF HIGHER EDUCATION, AND RELIGIOUS PLACES OF WORSHIP;  
7 TO CREATE A FENTANYL MISUSE TASK FORCE; AND TO APPROPRIATE FUNDS  
8 TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF  
9 PUBLIC HEALTH, TO PURCHASE OPIOID ANTAGONISTS FOR LOCAL HEALTH  
10 DEPARTMENTS TO DISTRIBUTE FREE OF CHARGE TO NORTH CAROLINA  
11 RESIDENTS AND TO PROVIDE CERTAIN APPROPRIATIONS AND TO CREATE  
12 THE YOUTH WELL-BEING STUDY COMMISSION";  
13

14 And on page 54, lines 24-25 by inserting the following between those lines:  
15 "RESTRICTIONS ON THE SALE OF VAPOR PRODUCTS NEAR CHILD CARE  
16 FACILITIES, SCHOOLS, CERTAIN INSTITUTIONS OF HIGHER EDUCATION, AND  
17 RELIGIOUS PLACES OF WORSHIP AND CREATION OF FENTANYL MISUSE  
18 TASK FORCE

19 SECTION 16.1.(a) Article 52 of Chapter 14 of the General Statutes is amended by  
20 adding a new section to read:

21 "§ 14-401.28. Sale of vapor products near certain locations unlawful.

22 (a) It is unlawful for any person, firm, or corporation in this State to sell or to purchase  
23 any vapor products, as defined in G.S. 14-313, within 1,000 linear feet of the property line of any  
24 of the following:

- 25 (1) A church, chapel, meetinghouse, synagogue, temple, longhouse, or mosque,  
26 or other building that is regularly used, and clearly identifiable, as a place for  
27 religious worship.
- 28 (2) A child care facility, as defined in G.S. 110-86(3).
- 29 (3) A public school unit, or any nonpublic school, as defined in Part 1 or Part 2 of  
30 Article 39 of Chapter 115C of the General Statutes. This subdivision does not  
31 include home schools, as defined in G.S. 115C-563.



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- 1           (4)    A community college under the jurisdiction of the State Board of Community  
2                    Colleges.  
3           (5)    The facilities of The University of North Carolina and the grounds of those  
4                    facilities, as defined in G.S. 143-597(a)(6).  
5       (b)    A violation of this section is a Class 2 misdemeanor."  
6       **SECTION 16.1.(b)** This section becomes effective December 1, 2024, and applies  
7 to offenses committed on or after that date.  
8       **SECTION 16.2.(a)** Creation. – There is established the Fentanyl Misuse Task Force  
9 (Task Force). The Task Force shall consist of representatives from the following, as well as other  
10 representatives appointed by the Governor:  
11       (1)    The Division of Mental Health, Developmental Disabilities, and Substance  
12                    Use Services of the Department of Health and Human Services.  
13       (2)    The Division of Public Health of the Department of Health and Human  
14                    Services.  
15       (3)    The Office of Rural Health within the Department of Health and Human  
16                    Services.  
17       (4)    The Division of Juvenile Justice of the Department of Public Safety.  
18       (5)    The Division of Community Supervision and Reentry of the Department of  
19                    Adult Correction.  
20       (6)    The Division of Prisons of the Department of Adult Correction.  
21       (7)    The State Bureau of Investigation.  
22       (8)    The Attorney General's Office.  
23       (9)    The following health care regulatory boards with oversight of prescribers and  
24                    dispensers of opioids and other prescription drugs:  
25            a.    North Carolina Board of Dental Examiners.  
26            b.    North Carolina Board of Nursing.  
27            c.    North Carolina Board of Podiatry Examiners.  
28            d.    North Carolina Medical Board.  
29            e.    North Carolina Board of Pharmacy.  
30            f.    North Carolina Veterinary Medical Board.  
31       (10)   The UNC Injury Prevention Research Center.  
32       (11)   The substance use disorder treatment community.  
33       (12)   Governor's Institute on Substance Abuse, Inc.  
34       **SECTION 16.2.(b)** Study. – The purpose of the Task Force is to study and make  
35 recommendations to the Governor and the General Assembly on ways to combat the growing  
36 problem of fentanyl misuse in North Carolina.  
37       **SECTION 16.2.(c)** Chair; Meetings; Quorum. – The members shall elect a chair,  
38 and the Task Force shall meet at the call of the chair. A majority of the Task Force shall constitute  
39 a quorum for the transaction of its business.  
40       **SECTION 16.2.(d)** Per Diem, Travel, and Expenses. – Members of the Task Force  
41 shall receive per diem and necessary travel and subsistence expenses in accordance with  
42 G.S. 120-3.1, 138-5, and 138-6, as applicable.

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1           **SECTION 16.2.(e)** Meeting Space; Staffing. – The Task Force may meet in the  
2 Legislative Building or in the Legislative Office Building. With the approval of the Legislative  
3 Services Commission, through the Legislative Services Officer, legislative staff may be made  
4 available to assist the Task Force.

5           **SECTION 16.2.(f)** Report. – The Task Force shall submit an interim report to the  
6 2025 General Assembly when it reconvenes in 2026. The Task Force shall submit a final report,  
7 including findings and legislative recommendations, to the 2027 General Assembly. The Task  
8 Force shall terminate upon filing its final report.

9           **SECTION 16.2.(g)** Effective Date. – This section is effective when it becomes law.

10           **SECTION 16.3.(a)** Effective July 1, 2024, there is appropriated from the General  
11 Fund to the Department of Health and Human Services, Division of Public Health, the sum of  
12 fifteen million dollars (\$15,000,000) in recurring funds for the 2024-2025 fiscal year. These  
13 funds shall be used to purchase opioid antagonists, as defined in G.S. 90-12.7, for local health  
14 departments to address opioid-related drug overdoses and reduce the number of opioid-related  
15 deaths.

16           **SECTION 16.3.(b)** Local health departments receiving opioid antagonists funded  
17 by this Part shall distribute them free of charge to North Carolina residents.

18           **SECTION 16.3.(c)** The Department of Health and Human Services, Division of  
19 Public Health, shall collaborate with local health departments to ensure efficient and widespread  
20 distribution of the opioid antagonists funded by this Section.

21  
22 **CERTAIN ADDITIONAL APPROPRIATIONS**

23           **SECTION 16.4.(a)** There is appropriated from the General Fund to the  
24 Administrative Office of Courts the sum of ten million dollars (\$10,000,000) in recurring funds  
25 beginning in the 2024-2025 fiscal year to be used as appropriate to increase funding for drug  
26 treatment courts located in Tier 1 and Tier 2 Counties.

27           **SECTION 16.4.(b)** There is appropriated from the General Fund to the Department  
28 of Health and Human Services the sum of fifty million dollars (\$50,000,000) in recurring funds  
29 beginning in the 2024-2025 fiscal year to be used as appropriate to provide a grant program to  
30 community programs and facilities which provide evidence-based substance abuse treatment for  
31 people under the age of 21.

32           **SECTION 16.4.(c)** This section becomes effective July 1, 2024.

33  
34 **CREATE THE YOUTH WELL-BEING STUDY COMMISSION**

35           **SECTION 16.4.(a)** Chapter 143B of the General Statutes is amended by adding new  
36 sections to read:

37 **"§ 143B-216.90. Creation and membership of the North Carolina Youth Well-Being Study**  
38 **Commission.**

39           (a) The North Carolina Youth Well-Being Study Commission is established. The  
40 Committee shall consist of 21 members as follows:

41           (1) The Governor shall 17 appoint members, with at least one member appointed  
42 from each of the following organizations:

43           a. The North Carolina Medical Society.

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- 1                    b. The Department of Public Instruction.  
2                    c. The North Carolina Division of Juvenile Justice and Delinquency  
3                    Prevention.  
4                    d. The North Carolina Department of Health and Human Services.  
5                    e. The North Carolina Chapter of the National Association of Social  
6                    Workers.  
7                    f. The North Carolina Addictions Specialist Professional Practice Board.  
8                    (2) The Governor shall appoint at least two members employed with community  
9                    youth organizations.  
10                    (3) The General Assembly shall appoint two members, upon the recommendation  
11                    of the President Pro Tempore.  
12                    (4) The General Assembly shall appoint two members, upon the recommendation  
13                    of the Speaker of the House.  
14                    (b) Terms of the initial members shall commence on October 1, 2024. Terms shall be for  
15 four years. No member shall serve more than two successive terms. Any appointment to fill a  
16 vacancy shall be for the balance of the unexpired term and filled by the original appointing  
17 authority.  
18 **§ 143B-216.91. Purpose and powers of Commission.**  
19                    (a) The North Carolina Youth Well-Being Study Commission shall research and make  
20 recommendations on issues affecting the well-being of North Carolina's youth up to the age of  
21 21 years old. The Commission shall examine on a continuing basis the following issues:  
22                    (1) Mental health.  
23                    (2) Substance use and abuse.  
24                    (3) Social Media.  
25                    (4) Gambling.  
26                    (5) Pornography.  
27                    (6) Other emerging addictive behaviors and issues as the Commission determines  
28                    necessary."  
29                    **SECTION 16.4.(b)** This section is effective when it becomes law."

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_