

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 328
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40205-NH-91

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

Sponsors: Representative Cunningham.

Referred to:

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 and Hemp Products.

8 "§ 115C-407. Policy prohibiting tobacco and hemp product use in school buildings,
9 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 or hemp product by any person in school buildings, in school facilities,
13 on school campuses, and in or on any other school property owned or operated by the ~~local school~~
14 ~~administrative~~ public school unit. The policy shall further prohibit the use of all tobacco and
15 hemp products by persons attending a school-sponsored event at a location not listed in this
16 subsection when in the presence of students or school personnel or in an area where smoking is
17 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 and hemp products
22 by any person in and on school property.

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

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

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

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



1 (1) Hemp product. – Products derived from hemp, as defined in G.S. 90-87, and
2 their synthetic counterparts that are designed, manufactured, or sold to be
3 inhaled or otherwise consumed, including the substances commonly known
4 as "delta-8," "delta-9," and "CBD."

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

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

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

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