

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SENATE BILL 910
RATIFIED BILL**

AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DEFRAUD DRUG OR ALCOHOL SCREENING TESTS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 52 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-401.20. Defrauding drug and alcohol screening tests; penalty.

- (a) It is unlawful for a person to do any of the following:
 - (1) Sell, give away, distribute, or market urine in this State or transport urine into this State with the intent that it be used to defraud a drug or alcohol screening test.
 - (2) Attempt to foil or defeat a drug or alcohol screening test by the substitution or spiking of a sample or the advertisement of a sample substitution or other spiking device or measure.
- (b) It is unlawful for a person to do any of the following:
 - (1) Adulterate a urine or other bodily fluid sample with the intent to defraud a drug or alcohol screening test.
 - (2) Possess adulterants that are intended to be used to adulterate a urine or other bodily fluid sample for the purpose of defrauding a drug or alcohol screening test.
 - (3) Sell adulterants with the intent that they be used to adulterate a urine or other bodily fluid sample for the purpose of defrauding a drug or alcohol screening test.
- (c) A violation of this section is punishable as follows:
 - (1) For a first offense under this section, the person is guilty of a Class 1 misdemeanor.
 - (2) For a second or subsequent offense under this section, the person is guilty of a Class I felony."

SECTION 2. Section 1 of this act becomes effective December 1, 2002, and applies to offenses committed on or after that date. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 3rd day of October, 2002.

Marc Basnight
President Pro Tempore of the Senate

James B. Black
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____ .m. this _____ day of _____, 2002