

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 910
House Committee Substitute Favorable 10/2/02

Short Title: Crime to Defraud Drug Test.

(Public)

Sponsors:

Referred to:

April 5, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DEFRAUD DRUG OR
3 ALCOHOL SCREENING TESTS.

4 The General Assembly of North Carolina enacts:

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

7 "§ 14-401.20. Defrauding drug and alcohol screening tests; penalty.

8 (a) It is unlawful for a person to do any of the following:

9 (1) Sell, give away, distribute, or market urine in this State or transport
10 urine into this State with the intent that it be used to defraud a drug or
11 alcohol screening test.

12 (2) Attempt to foil or defeat a drug or alcohol screening test by the
13 substitution or spiking of a sample or the advertisement of a sample
14 substitution or other spiking device or measure.

15 (b) It is unlawful for a person to do any of the following:

16 (1) Adulterate a urine or other bodily fluid sample with the intent to
17 defraud a drug or alcohol screening test.

18 (2) Possess adulterants that are intended to be used to adulterate a urine or
19 other bodily fluid sample for the purpose of defrauding a drug or
20 alcohol screening test.

21 (3) Sell adulterants with the intent that they be used to adulterate a urine or
22 other bodily fluid sample for the purpose of defrauding a drug or
23 alcohol screening test.

24 (c) A violation of this section is punishable as follows:

25 (1) For a first offense under this section, the person is guilty of a Class 1
26 misdemeanor.

27 (2) For a second or subsequent offense under this section, the person is
28 guilty of a Class I felony."

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