



CHAPTER 95  
ARTICLE 20 - CONTROLLED SUBSTANCE EXAMINATION REGULATION

N.C.G.S. § 95-234.

Violation of controlled substance examination regulations; civil penalty.

|                                                                                    |                                                                                    |                                           |                                                                                              |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|
| SOURCE<br>General Statutes of North Carolina, as published by the General Assembly | LAST AMENDMENT IN THIS TEXT<br>S.L. 2025-25, s. 29(1) — seventh act in the lineage | RETRIEVED<br>21 September 2026, 04:03 UTC | SOURCE FINGERPRINT<br>bd8dc7c71a633f55da978992 - affc2325baaec43f3b49bd4b - 658cae9148f4e6f5 |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|

**§ 95-234(a)** Any examiner who violates the provisions of this Article shall be subject to a civil penalty of up to two hundred fifty dollars (\$250.00) per affected examinee with the maximum not to exceed one thousand dollars (\$1,000) per investigation by the Commissioner of Labor or his authorized representative. In determining the amount of the penalty, the Commissioner shall consider:

- (1) The appropriateness of the penalty for the size of the business of the employer charged; and
- (2) The gravity of the violation.

The determination by the Commissioner shall be final, unless within 15 days after receipt of notice thereof by certified mail with return receipt, by signature confirmation as provided by the U.S. Postal Service, by a designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2) with delivery receipt, by electronic means to include an email address provided by the person to the Commissioner, with a delivery receipt, that will be effective to give the person notice, or via hand delivery, the person charged with the violation takes exception to the determination, in which event final determination of the penalty shall be made in an administrative proceeding pursuant to Article 3 of Chapter 150B and which final determination shall be subject to judicial review in a judicial proceeding pursuant to Article 4 of Chapter 150B.

**§ 95-234(b)** The amount of the penalty when finally determined may be recovered in a civil action brought by the Commissioner in the General Court of Justice.

**§ 95-234(c)**

The clear proceeds of civil penalties provided for in this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

**§ 95-234(d)**

## STATUTE OF LIMITATIONS

Assessment of penalties under this section shall be subject to a two-year statute of limitations commencing at the time of the occurrence of the violation.

**§ 95-234(e)**

The Commissioner of Labor may adopt, modify, or revoke such rules as are necessary for carrying out the provisions of this Article. The rules adopted shall promote individual dignity and privacy while not posing an undue burden on employers.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I  
7 ACTS

## Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

| 1991                                                                        | 2008 |                        | 2025      |
|-----------------------------------------------------------------------------|------|------------------------|-----------|
| TICK HEIGHT = ACTS IN THAT YEAR      DASHED = RECODIFICATION, NOT AMENDMENT |      |                        |           |
| Nº                                                                          | YEAR | ACT                    | CHARACTER |
| 01                                                                          | 1991 | c. 687, s. 1           | ENACTED   |
| 02                                                                          | 1993 | c. 213, s. 3           | AMENDED   |
| 03                                                                          | 1998 | S.L. 1998-215, s. 113  | AMENDED   |
| 04                                                                          | 2003 | S.L. 2003-308, s. 7    | AMENDED   |
| 05                                                                          | 2007 | S.L. 2007-231, s. 11   | AMENDED   |
| 06                                                                          | 2024 | S.L. 2024-3, s. 7.1    | AMENDED   |
| 07                                                                          | 2025 | S.L. 2025-25, s. 29(1) | AMENDED   |

APPARATUS II  
1 AUTHORITY

## Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE       | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION              |
|-----------------|------------|-------------------------------------------------|
| G.S. 115C-457.2 | (c)        | <i>"and Forfeiture Fund in accordance with"</i> |

## APPARATUS III

## Citation

## FULL SECTION

N.C. Gen. Stat. § 95-234 (2025).

## PINPOINT

N.C. Gen. Stat. § 95-234(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

## Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

## HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1991, c. 687, s. 1; 1993, c. 213, s. 3; 1998-215, s. 113; 2003-308, s. 7; 2007-231, s. 11; 2024-3, s. 7.1; 2025-25, s. 29(1).)

SET IN SPECTRAL AND ARCHIVO  
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

