

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 553

Short Title: Ensuring Patient Safety w/Mail Order Meds. (Public)

Sponsors: Representatives N. Jackson, Campbell, Potts, and Balkcom (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

March 31, 2025

1 A BILL TO BE ENTITLED
2 AN ACT REVISING ABORTION-INDUCING DRUG LAWS.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.(a)** G.S. 14-44.1 reads as rewritten:

5 "**§ 14-44.1. Providing or advertising abortion-inducing drugs to pregnant woman.**

6 (a) Offense. – All of the following are unlawful:

7 (1) For any ~~individual within the State,~~ individual, including a physician, an
8 employee or contractor of a physician's office or clinic, or other abortion
9 provider, or ~~organization within the State,~~ organization, including a
10 physician's office or clinic or other abortion provider, to mail, provide, or
11 supply an abortion-inducing drug ~~directly to a pregnant woman in violation of~~
12 ~~G.S. 90-21.83A(b)(2)a. Lack of knowledge or intent that the~~
13 ~~abortion-inducing drug will be administered outside the physical presence of~~
14 ~~a physician shall not be a defense to a violation of this subdivision.~~unless all
15 of the following conditions are satisfied:

16 a. At least 72 hours prior to mailing, providing, or supplying an
17 abortion-inducing drug, a qualified physician or qualified professional
18 informs the pregnant woman, in person, of the information contained
19 in the consent form identified in G.S. 90-21.83A(b).

20 b. With the exception of G.S. 90-21.83A(b)(2)b., all other informed
21 consent requirements identified in G.S. 90-21.83A(b) are satisfied.

22 c. The abortion-inducing drugs being mailed, provided, or supplied are
23 FDA approved.

24 (2) For any manufacturer or supplier of an abortion-inducing drug to ship or cause
25 to be shipped any abortion-inducing drug ~~directly to a pregnant woman in~~
26 ~~violation of G.S. 90-21.83A(b)(2)a. Lack of knowledge or intent that the~~
27 ~~abortion-inducing drug will be administered outside the physical presence of~~
28 ~~a physician shall not be a defense to a violation of this subdivision.~~unless all
29 the following conditions are satisfied:

30 a. At least 72 hours prior to mailing, providing, or supplying an
31 abortion-inducing drug, a qualified physician or qualified professional
32 informs the pregnant woman, in person, of the information contained
33 in the consent form identified in G.S. 90-21.83A(b).

34 b. With the exception of G.S. 90-21.83A(b)(2)b., all other informed
35 consent requirements identified in G.S. 90-21.83A(b) are satisfied.



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- 1 c. The abortion-inducing drugs being mailed, provided, or supplied are
2 FDA approved.
- 3 (3) For any individual or organization to purchase or otherwise procure an
4 advertisement, host or maintain an internet website, or provide an internet
5 service purposefully directed to a pregnant woman who is a resident of this
6 State when the individual or organization knows that the purpose of the
7 advertisement, website, or internet service is solely to promote the sale of an
8 abortion inducing drug to be administered to a woman in violation of
9 G.S. 90-21.83A(b)(2)a.
- 10 (4) Lack of knowledge or intent that the abortion-inducing drug will be
11 administered outside the physical presence of a physician shall not be a
12 defense to a violation of this subsection.
- 13 (b) Punishment. – An individual or organization who violates this section commits an
14 ~~infraction as defined in G.S. 14 3.1 and is subject to a fine of five thousand dollars (\$5,000) per~~
15 ~~violation a Class H felony.~~
- 16 (b1) Cause of Action. – Any of the following may bring a civil action for relief in a court
17 of competent jurisdiction:
- 18 (1) A woman who has suffered an injury from an alleged violation of this section.
19 (2) A parent or guardian of a minor who has suffered an alleged violation of this
20 section.
- 21 (3) The Attorney General if the Attorney General has reason to believe that a
22 person has violated or is violating this section and the violation affects one or
23 more residents of this State.
- 24 (b2) Statute of Limitations. – A person shall have three years from the date of the alleged
25 violation or from the date of the initial discovery of an alleged violation. If the woman was a
26 minor at the time of an alleged violation, then the woman shall have three years from the date
27 that she attains the age of majority, or if brought by a parent or guardian, within three years of
28 the date of the alleged violation or from the date of the initial discovery of an alleged violation.
- 29 (b3) Civil Remedies. – In addition to any other civil or criminal penalty authorized by law,
30 any person authorized to institute a civil action for relief under this section may seek and a court
31 may award any or all of the following types of relief:
- 32 (1) An injunction to enjoin continued violation of this section.
33 (2) Compensatory and punitive damages.
34 (3) All costs, expenses, and fees related to the civil suit investigation and
35 proceedings associated with the violation, including attorneys' fees.
36 (4) Any other remedies deemed appropriate by the court of competent
37 jurisdiction.
- 38 (b4) Additional Injunctive Relief. – A spouse, parent, or guardian of a woman who
39 suffered an alleged violation of this section may bring an action of injunctive relief against a
40 supplier or manufacturer of abortion-inducing drugs in violation of subdivision (a)(2) of this
41 section.
- 42 (b5) Frivolous; Bad Faith. – If a court finds that a person's civil action for relief was
43 frivolous or brought in bad faith, then the court shall tax as part of the costs reasonable attorneys'
44 fees in favor of the defendant against the plaintiff.
- 45 (b6) Certificate of Authority. – Notwithstanding any other provision of law, a foreign
46 nonprofit or business entity engaged in the shipping, delivering, or procuring of
47 abortion-inducing drugs to or in this State is deemed to be conducting affairs in this State and
48 shall apply for and maintain a certificate of authority from the Secretary of State in accordance
49 with G.S. 55-15-03, 55A-15-03, 55B-16, 57D-2-02, 57D-7-03, 59-91, and 59-902 and any other
50 law of this State governing the conduct of affairs by foreign entities in this State. A court of

1 competent jurisdiction in this State may exercise personal jurisdiction over a foreign corporation
2 maintaining a certificate of authority pursuant to this subsection.

3 (c) Definitions. – The following definitions apply in this section:

4 (1) Abortion-inducing drug. – As defined in G.S. 90-21.81(1a).

5 (2) Organization. – As defined in G.S. 15A-773(c)."

6 **SECTION 1.(b)** This section becomes effective December 1, 2025, and applies to
7 offenses committed on or after that date.

8 **SECTION 2.** Except as otherwise provided, this act is effective when it becomes
9 law.