

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**HOUSE DRH30119-MH-18A (02/04)**

Short Title: Charitable Licensing Exemption Clarification. (Public)

Sponsors: Representatives Earle and Samuelson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE SOLICITATION  
3 LICENSING REQUIREMENTS FOR CERTAIN NONPROFIT ADULT RESIDENTIAL  
4 TREATMENT FACILITIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 122C-22 reads as rewritten:

7 **"§ 122C-22. Exclusions from licensure; deemed status.**

8 (a) The following are excluded from the provisions of this Article and are not required  
9 to obtain licensure under this Article:

- 10 (1) Physicians and psychologists engaged in private office practice;
- 11 (2) General hospitals licensed under Article 5 of Chapter 131E of the General  
12 Statutes, that operate special units for the mentally ill, developmentally  
13 disabled, or substance abusers;
- 14 (3) State and federally operated facilities;
- 15 (4) Adult care homes licensed under Chapter 131D of the General Statutes;
- 16 (5) Developmental child care centers licensed under Article 7 of Chapter 110 of  
17 the General Statutes;
- 18 (6) Persons subject to licensure under rules of the Social Services Commission;
- 19 (7) Persons subject to rules and regulations of the Division of Vocational  
20 Rehabilitation Services;
- 21 (8) Facilities that provide occasional respite care for not more than two  
22 individuals at a time; provided that the primary purpose of the facility is  
23 other than as defined in G.S. 122C-3(14);
- 24 (9) Twenty-four-hour nonprofit facilities established for the purposes of shelter  
25 care and recovery from alcohol or other drug addiction through a 12-step,  
26 self-help, peer role modeling, and self-governance approach;
- 27 (10) Inpatient chemical dependency or substance abuse facilities that provide  
28 services exclusively to inmates of the Department of Correction, as  
29 described in G.S. 148-19.1; and
- 30 (11) A charitable, nonprofit, faith-based, adult residential treatment facility that  
31 does not receive any federal or State funding ~~and is part of an international~~  
32 ~~organization serving at least 50 countries that helps persons ages 18 through~~  
33 ~~40 overcome life-controlling problems~~ and is a religious organization  
34 exempt from federal income tax under section 501(a) of the Internal  
35 Revenue Code.



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**SECTION 2.** This act becomes effective July 1, 2011.