

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 999
Second Edition Engrossed 4/30/03
Senate Commerce Committee Substitute Adopted 7/9/03

Short Title: Toner/Inkjet Cartridges.

(Public)

Sponsors:

Referred to:

April 10, 2003

A BILL TO BE ENTITLED

1
2 AN ACT MAKING VOID AND UNENFORCEABLE AS A MATTER OF PUBLIC
3 POLICY ANY PROVISION IN ANY AGREEMENT OR CONTRACT THAT
4 PROHIBITS THE REUSING, REMANUFACTURING, OR REFILLING OF A
5 TONER OR INKJET CARTRIDGE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 1 of Chapter 75 of the General Statutes is amended by
8 adding a new section to read:

9 **"§ 75-36. Certain contracts relating to toner or inkjet cartridges void and**
10 **unenforceable as a matter of public policy.**

11 Any provision in any agreement or contract that prohibits the reusing,
12 remanufacturing, or refilling of a toner or inkjet cartridge is void and unenforceable as a
13 matter of public policy. Nothing in this section shall prevent any maintenance contract
14 that warrants the performance of equipment under the contract from requiring the use of
15 new or specified toner or inkjet cartridges in the equipment under contract."

16 **SECTION 2.** This act becomes effective October 1, 2003, and applies to
17 agreements or contracts entered into on or after that date. This act does not apply to or
18 affect any litigation pending before that date.