

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

SESSION LAW 2003-386  
HOUSE BILL 999

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

The General Assembly of North Carolina enacts:

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

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

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

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

In the General Assembly read three times and ratified this the 16<sup>th</sup> day of July, 2003.

s/ Marc Basnight  
President Pro Tempore of the Senate

s/ Richard T. Morgan  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 5:19 p.m. this 7<sup>th</sup> day of August, 2003