

**§ 14-159.1. Contaminating or injuring a public water system; injuring a wastewater treatment facility.**

(a) Contaminating a Public Water System. – It is unlawful to knowingly and willfully contaminate, adulterate, or otherwise impurify, or attempt to contaminate, adulterate or otherwise impurify, the water in a public water system, as defined in G.S. 130A-313(10), including the water source, with any toxic chemical, biological agent or radiological substance that is harmful to human health, except those added in approved concentrations for water treatment operations.

(b) Injuring a Public Water System. – It is unlawful to knowingly and willfully stop, obstruct, impair, weaken, destroy, injure, or otherwise damage, or attempt to stop, obstruct, impair, weaken, destroy, injure, or otherwise damage, the property or equipment of a public water system, as defined in G.S. 130A-313(10), with the intent to impair the services of the public water system.

(c) Injuring a Wastewater Treatment System. – It is unlawful to knowingly and willfully stop, obstruct, impair, weaken, destroy, injure, or otherwise damage, or attempt to stop, obstruct, impair, weaken, destroy, injure, or otherwise damage, the property or equipment of a wastewater treatment system that is owned or operated by a (i) public utility, as that term is defined under G.S. 62-3, or (ii) local government unit, as defined in G.S. 159G-20(13). For purposes of this section, the term "wastewater treatment facility" means the various facilities and devices used in the treatment of sewage, industrial waste, or other wastes of a liquid nature, including the necessary interceptor sewers, outfall sewers, nutrient removal equipment, pumping equipment, power and other equipment, and their appurtenances.

(d) Punishment. – A person who violates subsection (a), (b), or (c) of this section is guilty of a Class C felony. Additionally, a person who violates subsection (a), (b), or (c) of this section shall be ordered to pay a fine of two hundred fifty thousand dollars (\$250,000).

(e) Merger. – Each violation of this section constitutes a separate offense and shall not merge with any other offense.

(f) Civil Remedies. – Any person whose property or person is injured by reason of a violation of subsection (a), (b), or (c) of this section shall have a right of action on account of such injury done against the person who committed the violation and any person who acts as an accessory before or after the fact, aids or abets, solicits, conspires, or lends material support to the violation of this section. If damages are assessed in such case, the plaintiff shall be entitled to recover treble the amount of damages fixed by the verdict or punitive damages pursuant to Chapter 1D of the General Statutes, together with costs, including attorneys' fees. A violation of subsection (a), (b), or (c) of this section shall constitute willful or wanton conduct within the meaning of G.S. 1D-5(7) in any civil action filed as a result of the violation. The rights and remedies provided by this subsection are in addition to any other rights and remedies provided by law. For purposes of this subsection, the term "damages" includes actual and consequential damages.

(g) [Prohibition Regarding Treble Damages. –] The provisions of subsection (f) of this section relating to treble damages shall not be made known to the trier of fact through any means, including voir dire, the introduction into evidence, argument, or instructions to the jury.

(h) [Exclusions. –] Nothing in this section shall apply to work or activity that is performed at or on a public water system or wastewater treatment facility by the owner or operator of the facility, or an agent of the owner or operator authorized to perform such work or activity by the owner or operator.

(i) ["Property or Equipment" Defined. –] For purposes of this section, the term "property or equipment" shall include hardware, software, or other digital infrastructure necessary for the operations of a public water system or wastewater treatment system. (1983, c. 507, s. 1; 1985, c. 509, s. 4; c. 689, s. 5; 1993, c. 539, s. 1189; 1994, Ex. Sess., c. 24, s. 14(c); 2024-45, s. 9(a).)