

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2001**

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**HOUSE BILL 458**

Short Title: The Boy Scout/Girl Scout Protection Act. (Public)

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Sponsors: Representatives Blust; Barbee, Barnhart, Buchanan, Capps, Daughtry, Davis, Decker, Eddins, Esposito, Gillespie, Gulley, Harrington, Hill, Hilton, Johnson, Justus, Kiser, McCombs, Morris, Rayfield, Setzer, Sherrill, Shubert, Walend, C. Wilson, and G. Wilson.

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Referred to: Education.

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March 5, 2001

A BILL TO BE ENTITLED

AN ACT TO PROTECT THE RIGHTS OF BOY SCOUTS AND GIRL SCOUTS  
REGARDING THE USE OF SCHOOL PROPERTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-524(b) reads as rewritten:

"(b) It shall be the duty of local boards of education and tax-levying authorities, in order to safeguard the investment made in public schools, to keep all school buildings in good repair to the end that all public school property shall be taken care of and be at all times in proper condition for use. It shall be the duty of all principals, teachers, and janitors to report to their respective boards of education immediately any unsanitary condition, damage to school property, or needed repair. All principals, teachers, and janitors shall be held responsible for the safekeeping of the buildings during the school session and all breakage and damage shall be repaired by those responsible for same, and where any principal or teacher shall permit damage to the public school buildings by lack of proper discipline of pupils, such principal or teacher shall be held responsible for such damage: Provided, principals and teachers shall not be held responsible for damage that they could not have prevented by reasonable supervision in the performance of their duties.

Notwithstanding the provisions of G.S. 115C-263 and 115C-264, local boards of education may adopt rules and regulations under which they may enter into agreements permitting non-school groups to use school real and personal property, except for school buses, for other than school purposes so long as such use is consistent with the proper preservation and care of the public school property. No liability shall attach to any board of education, individually or collectively, for personal injury suffered by reason of the use of such school property pursuant to such agreements.

1        Rules and regulations adopted by a local board of education under this section or  
2 under any other provision of law, other than rules and regulations relating to conduct on  
3 school premises, shall not be used to exclude the Boy Scouts of America or the Girl  
4 Scouts of America from using school property."

5                **SECTION 2.** This act is effective when it becomes law.