

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 45*
Second Edition Engrossed 2/27/01

Short Title: Unlawful to Impede a School Bus.

(Public)

Sponsors: Senator Wellons.

Referred to: Judiciary I.

February 6, 2001

A BILL TO BE ENTITLED

AN ACT TO CLARIFY AND STRENGTHEN THE LAW PERTAINING TO
PERSONS WHO INTERFERE WITH THE OPERATION OF PUBLIC SCHOOL
BUSES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-132.2 reads as rewritten:

"**§ 14-132.2. Willfully trespassing upon or damaging upon, damaging, or impeding the progress of a public school bus.**

(a) Any person who shall unlawfully and willfully demolish, destroy, deface, injure, burn or damage any public school bus or public school activity bus shall be guilty of a Class 1 misdemeanor.

(b) Any person who shall enter a public school bus or public school activity bus after being forbidden to do so by the authorized school bus driver in charge thereof, or the school principal to whom the public school bus or public school activity bus is assigned, shall be guilty of a ~~Class 2~~ Class 1 misdemeanor.

(c) Any occupant of a public school bus or public school activity bus who shall refuse to leave said bus upon demand of the authorized driver in charge thereof, or upon demand of the principal of the school to which said bus is assigned, shall be guilty of a ~~Class 2~~ Class 1 misdemeanor.

(c1) Any person who shall unlawfully and willfully stop, impede, delay, or detain any public school bus or public school activity bus while being operated for public school purposes shall be guilty of a Class 1 misdemeanor.

(d) Subsections (b) and (c) of this section shall not apply to a child less than 12 years of age, or authorized professional school personnel."

SECTION 2. G.S. 14-288.4(a) reads as rewritten:

"(a) Disorderly conduct is a public disturbance intentionally caused by any person who:

- 1 (1) Engages in fighting or other violent conduct or in conduct creating the
2 threat of imminent fighting or other violence; or
- 3 (2) Makes or uses any utterance, gesture, display or abusive language
4 which is intended and plainly likely to provoke violent retaliation and
5 thereby cause a breach of the peace; or
- 6 (3) Takes possession of, exercises control over, or seizes any building or
7 facility of any public or private educational institution without the
8 specific authority of the chief administrative officer of the institution,
9 or his authorized representative; or
- 10 (4) Refuses to vacate any building or facility of any public or private
11 educational institution in obedience to:
- 12 a. An order of the chief administrative officer of the institution, or
13 his representative, who shall include for colleges and
14 universities the vice chancellor for student affairs or his
15 equivalent for the institution, the dean of students or his
16 equivalent for the institution, the director of the law
17 enforcement or security department for the institution, and the
18 chief of the law enforcement or security department for the
19 institution; or
- 20 b. An order given by any fireman or public health officer acting
21 within the scope of his authority; or
- 22 c. If a state of emergency is occurring or is imminent within the
23 institution, an order given by any law-enforcement officer
24 acting within the scope of his authority; or
- 25 (5) Shall, after being forbidden to do so by the chief administrative officer,
26 or his authorized representative, of any public or private educational
27 institution:
- 28 a. Engage in any sitting, kneeling, lying down, or inclining so as
29 to obstruct the ingress or egress of any person entitled to the use
30 of any building or facility of the institution in its normal and
31 intended use; or
- 32 b. Congregate, assemble, form groups or formations (whether
33 organized or not), block, or in any manner otherwise interfere
34 with the operation or functioning of any building or facility of
35 the institution so as to interfere with the customary or normal
36 use of the building or facility; or
- 37 (6) Disrupts, disturbs or interferes with the teaching of students at any
38 public or private educational institution or engages in conduct which
39 disturbs the peace, order or discipline at any public or private
40 educational institution or on the grounds adjacent ~~thereto~~ thereto; or
- 41 (6a) Engages in conduct which disturbs the peace, order, or discipline on
42 any public school bus or public school activity bus; or

1 (7) Disrupts, disturbs, or interferes with a religious service or assembly or
2 engages in conduct which disturbs the peace or order at any religious
3 service or assembly.

4 As used in this section the term "building or facility" includes the surrounding grounds
5 and premises of any building or facility used in connection with the operation or
6 functioning of such building or facility."

7 **SECTION 3.** This act becomes effective December 1, 2001, and applies to
8 offenses committed on or after that date.