

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 1100

Short Title: Relief for Business/Religious Orgs/COVID-19. (Public)

Sponsors: Representatives Kidwell, K. Hall, Setzer, and Speciale (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

May 14, 2020

A BILL TO BE ENTITLED

AN ACT TO ALLOW OPERATION OF CERTAIN BUSINESSES AND RELIGIOUS ORGANIZATIONS THAT COMPLY WITH SOCIAL DISTANCING GUIDELINES DURING OPERATION AND TO PROVIDE LIMITED LIABILITY PROTECTIONS FROM VIOLATION OF AN EXECUTIVE ORDER OR LOCAL PROHIBITION OR RESTRICTION.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Notwithstanding G.S. 14-288.20A(1) and (2), 166A-19.30(d), and 166A-19.31(h), no criminal liability shall apply to any provision of an executive order issued by the Governor in response to the COVID-19 emergency or a prohibition or restriction issued by a city or a county in response to the COVID-19 emergency that restricts the ability of a business owner or religious organization to operate the owner's business or religious organization if the owner of the business or religious organization makes reasonable efforts to maintain and enforce social distancing within the premises of the business or religious organization during operation.

All prosecutions for violation of any provisions described in this section are abated and no person shall be charged court costs.

SECTION 1.(b) Any business that operates in accordance with subsection (a) of this section shall not be closed by any law enforcement entity for violation of an executive order if the business is operating in compliance with subsection (a) of this section.

SECTION 1.(c) Subsections (a) and (b) of this section shall not apply to a business or establishment engaged in providing the use of "video gaming machines," as defined G.S. 14-306.1A. A business or establishment that provides the use of video gaming machines along with other goods and services, and that otherwise meets the criteria provided in subsections (a) and (b) of this section, may operate those portions of its business that do not involve the use of video gaming machines.

SECTION 1.(d) The maximum civil fine that may be levied against any person who is liable for a violation referenced in subsection (a) of this section shall be five dollars (\$5.00).

SECTION 2. There is appropriated from the General Fund to the Department of Commerce, the sum of five thousand dollars (\$5,000) in nonrecurring funds for the 2019-2020 fiscal year to be used to develop and provide educational materials to businesses and religious organizations on the provisions of this act.

SECTION 3. This act is effective when it becomes law and applies retroactively to March 23, 2020.

