

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 885
PROPOSED COMMITTEE SUBSTITUTE H885-PCS80339-SA-12

Short Title: No Picketing/Disrupt Residential Tranquility.

(Public)

Sponsors:

Referred to:

March 31, 2009

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT PERSONS ASSEMBLING FOR THE PURPOSE OF PICKETING
DIRECTED AT A SINGLE RESIDENCE IN A MANNER THAT DISRUPTS THE
TRANQUILITY OF THAT RESIDENCE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 35 of Chapter 14 of the General Statutes is amended by
adding a new section to read:

"§ 14-277.6. Picketing a residence.

(a) No person shall assemble with another person for the purpose of engaging in picketing directed at or focused on a single residence in a manner that disrupts the tranquility of that residence.

(b) A violation of this section is a Class 2 misdemeanor. A second conviction for a violation of this section within three years of the first shall be punishable as a Class 1 misdemeanor. A third or subsequent conviction for a violation of this section within three years of the second or most recent conviction shall be punishable as a Class I felony.

(c) Any person aggrieved under this section may seek injunctive relief in a court of competent jurisdiction to prevent threatened or further violations of this section. Any violation of an injunction obtained pursuant to this section constitutes criminal contempt and shall be punishable by a term of imprisonment of not less than 30 days and no more than 12 months.

(d) This section shall not prohibit any person from engaging in lawful speech or picketing which does not disrupt the tranquility of a residence.

(e) Nothing in this section shall be construed to prohibit general picketing that proceeds through residential neighborhoods or that proceeds past residences."

SECTION 2. This act becomes effective December 1, 2009, and applies to offenses committed on or after that date.

