

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 1100
May 14, 2020
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH10781-NBa-81

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

Sponsors: Representative Kidwell.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW OPERATION OF CERTAIN BUSINESSES AND RELIGIOUS
3 ORGANIZATIONS THAT COMPLY WITH SOCIAL DISTANCING GUIDELINES
4 DURING OPERATION AND TO PROVIDE LIMITED LIABILITY PROTECTIONS
5 FROM VIOLATION OF AN EXECUTIVE ORDER OR LOCAL PROHIBITION OR
6 RESTRICTION.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** Notwithstanding G.S. 14-288.20A(1) and (2), 166A-19.30(d), and
9 166A-19.31(h), no criminal liability shall apply to any provision of an executive order issued by
10 the Governor in response to the COVID-19 emergency or a prohibition or restriction issued by a
11 city or a county in response to the COVID-19 emergency that restricts the ability of a business
12 owner or religious organization to operate the owner's business or religious organization if the
13 owner of the business or religious organization makes reasonable efforts to maintain and enforce
14 social distancing within the premises of the business or religious organization during operation.

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

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

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

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

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

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

