

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 686
Committee Substitute Favorable 5/3/19
PROPOSED SENATE COMMITTEE SUBSTITUTE H686-PCS30609-TT-54

Short Title: Freedom to Celebrate the Fourth of July.

(Public)

Sponsors:

Referred to:

April 11, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO PROTECT THE RIGHT TO CELEBRATE THE FOURTH OF JULY, IN
3 COMMEMORATION OF THE DECLARATION OF INDEPENDENCE OF THE UNITED
4 STATES.

5 Whereas, on July 4, 1776, the Second Continental Congress adopted the final draft of
6 the Declaration of Independence, declaring freedom of the 13 American colonies from British
7 rule at a meeting held in Philadelphia, Pennsylvania; and

8 Whereas, the 56 signers of the Declaration of Independence included three North
9 Carolinians, William Hooper, Joseph Hewes, and John Penn; and

10 Whereas, on May 16, 1783, the General Assembly "Resolved, that the fourth day of
11 July be and is hereby appointed a day of General Thanksgiving and praise to Almighty God for
12 the gracious Interposition of Divine Providence in behalf of this nation ..."; and

13 Whereas, the North Carolina General Assembly on May 16, 1783, passed a resolution
14 commemorating the Fourth of July, and was the first State to do so; and

15 Whereas, the first Fourth of July celebration in the country was proclaimed by
16 Governor Alexander Martin in 1783 as a result of that resolution; and

17 Whereas, Independence Day is the most important holiday celebrating our nation's
18 founding; Now, therefore,

19 The General Assembly of North Carolina enacts:

20 **SECTION 1.** Notwithstanding G.S. 166A-19.30, the Governor shall not prohibit
21 parades, or firework displays discharged in accordance with Article 54 of Chapter 14 of the
22 General Statutes, to be held on July 4, commemorating the Declaration of Independence by the
23 United States.

24 **SECTION 2.** Notwithstanding G.S. 166A-19.31, a municipality or county shall not
25 prohibit parades, or firework displays discharged in accordance with Article 54 of Chapter 14 of
26 the General Statutes, to be held on July 4, commemorating the Declaration of Independence by
27 the United States.

28 **SECTION 3.** Notwithstanding G.S. 166A-19.30(d) and G.S. 166A-31(h), a person
29 shall not be prosecuted for the Class 2 misdemeanor for violation of a declaration or executive
30 order merely for the act of attending or participating in a parade, or firework display discharged
31 in accordance with Article 54 of Chapter 14 of the General Statutes, held on July 4,
32 commemorating the Declaration of Independence by the United States.

33 **SECTION 4.** No person shall be liable civilly for any act or omission alleged to have
34 resulted in the contraction of COVID-19 during a parade, or firework display discharged in
35 accordance with Article 54 of Chapter 14 of the General Statutes, held on July 4, unless the act



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1 or omission amounts to gross negligence, willful or wanton conduct, or intentional wrongdoing.
2 This section does not apply to any of the following:
3 (1) Claims before the Industrial Commission seeking benefits payable under the
4 Workers' Compensation Act, Article 1 of Chapter 97 of the General Statutes.
5 (2) Claims arising later than one year after the expiration or rescission of
6 Executive Order No. 116 issued March 10, 2020.
7 **SECTION 5.** This act is effective when it becomes law and expires when any
8 applicable declaration of emergency prohibitions and restrictions expire or are terminated to
9 permit parades and firework displays on the Fourth of July.