

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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SENATE BILL 432  
House Committee Substitute Favorable 8/13/19  
House Committee Substitute #2 Favorable 9/11/19  
House Committee Substitute #3 Favorable 10/22/19  
Proposed Conference Committee Substitute S432-PCCS15574-BC-9

Short Title: Open Rinks, Alleys, Venues, Stadiums.

(Public)

Sponsors:

Referred to:

April 1, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE SKATING RINKS, BOWLING ALLEYS, AND VENUES FOR  
3 RECEPTIONS OR PARTIES TO RESUME OPERATIONS AND TO AUTHORIZE  
4 OUTDOOR STADIUMS OPERATING RESTAURANTS TO OFFER AND OPERATE  
5 OUTDOOR DINING AND BEVERAGE SERVICE OPTIONS WHILE ALSO  
6 SAFEGUARDING THE PUBLIC HEALTH TO PREVENT THE SPREAD OF  
7 CORONAVIRUS DISEASE 2019 (COVID-19).

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** Notwithstanding Executive Order No. 141, Easing Restrictions on  
10 Travel, Business Operations, and Mass Gatherings: Phase Two, issued by Governor Roy A.  
11 Cooper on May 20, 2020, any venue for receptions or parties, as referenced in Section 8 of  
12 Executive Order No. 141, may open and resume operations provided all of the following apply:

- 13 (1) The venue was in existence on March 10, 2020, is properly licensed and  
14 permitted, and holds all necessary State and local regulatory permits,  
15 including, if applicable, any necessary ABC permits.
- 16 (2) Total capacity is limited to fifty percent (50%) of the authorized fire capacity,  
17 12 people per 1,000 square feet, or 300 people, whichever is less.
- 18 (3) All employees shall have their temperature taken daily prior to working. Any  
19 employee showing symptoms or with a fever of 100.4 degrees Fahrenheit or  
20 higher shall not be allowed to enter the venue.
- 21 (4) All guests shall have their temperature taken by thermal temple thermometers.  
22 Any guest with a fever of 100.4 degrees Fahrenheit or higher shall not be  
23 permitted entry.
- 24 (5) All employees shall wear face masks and gloves. All guests are strongly  
25 encouraged to wear face masks.
- 26 (6) Food and beverage service shall not include self-service or buffet options.
- 27 (7) Hand sanitizer stations shall be available throughout the venue. All hand  
28 sanitizer is comprised of at least sixty percent (60%) alcohol.
- 29 (8) The venue shall maintain and enforce the social distancing requirements  
30 recommended by the federal Centers for Disease Control and Prevention and  
31 the North Carolina Department of Health and Human Services.



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- 1 (9) The venue shall comply with all rules and regulations promulgated by the  
2 Division of Public Health of the North Carolina Department of Health and  
3 Human Services applicable to restaurants.
- 4 (10) Employees shall conduct frequent routine cleanings of high-touch and  
5 high-use areas while the venue is open and conduct a deep clean of the entire  
6 venue after the close of business every day. Disinfectants that are  
7 EPA-approved for SARS-CoV-2 (the virus that causes COVID-19) are used  
8 for all cleanings.
- 9 (11) Signage shall be posted to remind employees and guests of the social  
10 distancing and sanitation requirements in place.
- 11 (12) The venue shall collect and retain guest contact information on file for 15 days  
12 past the date of the event, which shall be made available for contact tracing if  
13 so requested.

14 **SECTION 2.** Notwithstanding Executive Order No. 141, Easing Restrictions on  
15 Travel, Business Operations, and Mass Gatherings: Phase Two, issued by Governor Roy A.  
16 Cooper on May 20, 2020, any outdoor stadium with a spectator capacity of 12,000 or less that  
17 operates a restaurant, as defined in G.S. 18B-1000(6), on the premises of the stadium may open  
18 and operate food and drink service for on-premises consumption provided all of the following  
19 apply:

- 20 (1) The stadium was in existence on March 10, 2020, is properly licensed and  
21 permitted, and holds all necessary State and local regulatory permits,  
22 including, if applicable, any ABC permits.
- 23 (2) The food and drink service operation for on-premises consumption is limited  
24 to any authorized indoor seating specifically designated for the restaurant  
25 operation and to the outdoor seating location.
- 26 (3) The outdoor food and drink service seating capacity is limited to ten percent  
27 (10%) of the spectator capacity of the stadium.
- 28 (4) The outdoor seating location must be part of the stadium, may include the  
29 playing area of the stadium, and must contain or have access to lavatory and  
30 toilet facilities for employees and customers as required for on-site  
31 preparation and consumption of food and beverage under rules established by  
32 the North Carolina Department of Health and Human Services.
- 33 (5) If the establishment holds ABC permits and serves alcohol pursuant to those  
34 permits, the outdoor seating location must have delineated vertical boundaries  
35 that the consumer would recognize as indicating the boundaries that  
36 physically separate areas where consumption of alcohol is allowed from areas  
37 open to the general public other than customers of the establishment.
- 38 (6) The establishment maintains and enforces the social distancing requirements  
39 recommended by the federal Centers for Disease Control and Prevention and  
40 the North Carolina Department of Health and Human Services.
- 41 (7) The establishment complies with all rules and regulations promulgated by the  
42 Division of Public Health of the North Carolina Department of Health and  
43 Human Services applicable to outdoor food and drink service.

44 **SECTION 3.** Notwithstanding Executive Order No. 141, Easing Restrictions on  
45 Travel, Business Operations, and Mass Gatherings: Phase Two, issued by Governor Roy A.  
46 Cooper on May 20, 2020, any (i) skating rinks or (ii) bowling alleys, as referenced in Section 8  
47 of Executive Order No. 141, may open and resume operations provided all of the following apply:

- 48 (1) The establishment was in existence on March 10, 2020, or had a valid  
49 certificate of occupancy and business license issued by that date.
- 50 (2) Total indoor capacity is limited to fifty percent (50%) of the authorized fire  
51 capacity. Employees are excluded from the total indoor capacity.

- 1 (3) All employees answer a health questionnaire and have their temperature taken  
2 daily prior to working. Any employee showing symptoms or with a fever is  
3 not allowed to enter the establishment.
- 4 (4) All employees wear face masks. All visitors are strongly encouraged to wear  
5 face masks.
- 6 (5) Contactless check-in is available, including propping open all entry doors  
7 when possible. Markings are on the ground to denote proper social distancing  
8 of at least 6 feet in the check-in area.
- 9 (6) Sanitation spray bottles with disinfectant or disinfectant wipes that are  
10 EPA-approved for SARS-CoV-2 (the virus that causes COVID-19) are  
11 available throughout the establishment.
- 12 (7) Hand sanitizer stations are available throughout the establishment. All hand  
13 sanitizer is comprised of at least sixty percent (60%) alcohol.
- 14 (8) Employees conduct frequent routine cleanings of high-touch equipment and  
15 high-use areas while the establishment is open and conduct a deep clean of the  
16 entire establishment after the close of business every day. For establishments  
17 that are open 24 hours a day, a deep clean of the entire establishment must  
18 occur at least once every 24 hours. Disinfectants that are EPA-approved for  
19 SARS-CoV-2 (the virus that causes COVID-19) are used for all cleanings.
- 20 (9) The following practices must be maintained:
- 21 a. Equipment is used in a manner to ensure social distancing of at least 6  
22 feet.
- 23 b. Signage directs foot traffic for social distancing.
- 24 c. Employees monitor for social distancing and to ensure that equipment  
25 is being cleaned with disinfectant or disinfectant wipes after each user.
- 26 (10) All personal hygiene areas and amenity services are closed, except for toilets,  
27 lavatories, and lockers where social distancing must be maintained.
- 28 (11) Water fountains are limited to filling water bottles only.
- 29 (12) Signage is posted to remind employees, members, and visitors of the social  
30 distancing and sanitation requirements in place.

31 **SECTION 4.** This act is effective when it becomes law and expires when Executive  
32 Order No. 141, issued on May 20, 2020, is repealed, replaced, or rescinded.