

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 128
Feb 23, 2021
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10044-MT-55A

Short Title: Increase Access to Sporting Venues in Schools. (Public)

Sponsors: Representatives K. Hall, Elmore, D. Hall, and Willis (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PERMIT INCREASED ACCESS TO CERTAIN INDOOR AND OUTDOOR
3 SPORTING FACILITIES FOR SPORTING EVENTS IN PUBLIC AND NONPUBLIC
4 SCHOOLS, COMMUNITY COLLEGES, AND CONSTITUENT INSTITUTIONS OF THE
5 UNIVERSITY OF NORTH CAROLINA.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Notwithstanding Article 1A of Chapter 166A of the General Statutes,
8 any executive order, secretarial order, or directive authorized pursuant to Article 1A of Chapter
9 166A of the General Statutes, or any other provision of law, the following shall apply regarding
10 attendance at indoor and outdoor sporting events for qualifying schools:

- 11 (1) For each sporting facility with a certificate of occupancy in accordance with
12 the North Carolina State Building Code, the number of spectators who are
13 permitted to attend shall be no more than fifty percent (50%) of that capacity
14 and no less than twenty-five percent (25%) of that capacity.
15 (2) In allowing access to sporting facilities with a certificate of occupancy in
16 accordance with the North Carolina State Building Code, qualifying schools
17 shall comply with all applicable requirements of the following, to the extent
18 those requirements do not conflict with this act:
19 a. The StrongSchoolsNC Public Health Toolkit (K-12), as that guidance
20 existed on February 2, 2021.
21 b. Interim Guidance for Administrators and Participants of Youth and
22 Amateur Sports Programs, as that guidance existed on January 28,
23 2021.
24 c. Interim Guidance for Institutions of Higher Education, as that
25 guidance existed on December 23, 2020.

26 **SECTION 2.** For purposes of this act, the following definitions shall apply:

- 27 (1) Spectator. – Any person who attends an indoor or outdoor sporting event for
28 a qualifying school, excluding the following persons connected to the sporting
29 event:
30 a. Athletes and their families. For purposes of this section, the term
31 "family" refers to a spouse, lineal descendant, lineal ascendant, sibling,
32 spouse's lineal descendant, spouse's lineal ascendant, spouse's sibling,
33 and the spouse of any of these individuals.
34 b. Employees of a qualifying school.
35 c. Entertainers.
36 d. Support staff.



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- 1 (2) Qualifying school. – Any of the following:
2 a. A public or nonpublic school serving students in all or part of grades
3 kindergarten through 12.
4 b. A community college under the jurisdiction of the State Board of
5 Community Colleges.
6 c. A constituent institution of The University of North Carolina.

7 **SECTION 3.** This act is effective when it becomes law and expires at the earlier of
8 the following:

- 9 (1) December 31, 2021.
10 (2) The date the Governor does either of the following:
11 a. Issues an executive order rescinding Executive Order No. 116 (2020),
12 Declaration of a State of Emergency to Coordinate Response and
13 Protective Actions to Prevent the Spread of COVID-19.
14 b. Lifts restrictions on indoor and outdoor gatherings related to the
15 COVID-19 pandemic.