A BILL TO BE ENTITLED
AN ACT TO PERMIT INCREASED ACCESS TO OUTDOOR SPORTING FACILITIES IN
PUBLIC AND NONPUBLIC HIGH SCHOOLS.

Whereas, G.S. 115C-47(4) provides that "[l]ocal boards of education shall make all
rules and regulations necessary for the conducting of extracurricular activities in the schools
under their supervision, including a program of athletics …"; and
Whereas, the First Amendment of the Constitution of the United States protects "the
right of the people peaceably to assemble"; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding Article 1A of Chapter 166A of the General Statutes,
any executive order, secretarial order, or directive authorized pursuant to Article 1A of Chapter
166A of the General Statutes, or any other provision of law, for the remainder of the scheduled
2020-2021 school year, all public and nonpublic high schools are authorized to allow spectators
to attend outdoor sporting events as follows:

(1) For each outdoor facility, including a park, field, or court, the number of
spectators shall amount to no more than forty percent (40%) of the facility's
approved occupancy capacity under the fire code or, in the event the facility
does not have an occupancy capacity under the fire code, no more than seven
spectators for every 1,000 square feet.

(2) For outdoor sporting facilities that allow spectators to bring their own seats,
individuals who sit in their own seats shall not count toward the limit on the
number of spectators described in subdivision (1) of this section if those
individuals maintain at least six feet of distance between themselves and
anyone outside of their family unit.

(3) In allowing access to outdoor sporting facilities in high schools, schools shall
comply with all requirements of both of the following, to the extent those
requirements do not conflict with this act:
   a. The StrongSchoolsNC Public Health Toolkit (K-12), as that guidance
      existed on February 2, 2021.
   b. Interim Guidance for Administrators and Participants of Youth and
      Amateur Sports Programs, as that guidance existed on January 28,
      2021.

SECTION 2. For purposes of this act, the term "spectator" does not include athletes,
employees of a public or nonpublic high school, entertainers, or staff providing support for the
sporting event.
SECTION 3. Nothing in this act shall be construed to prohibit a school, in the discretion of the governing body of that school, from implementing stricter access to an outdoor sporting event at that school.

SECTION 4. This act is effective when it becomes law.