

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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S.B. 115
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SENATE BILL DRS15040-MT-49

Short Title: Students, Parents, Community Rights Act. (Local)

Sponsors: Senators Johnson, Sawyer, and McInnis (Primary Sponsors).

Referred to:

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

4 Whereas, the State of North Carolina has a rich tradition of excellence in high school
5 sports; and

6 Whereas, high school sports are beneficial to the health and well-being of students,
7 families of students, friends of students, and the community as a whole; and

8 Whereas, student athletes have a right to participate in sporting events in high school;
9 and

10 Whereas, families of student athletes, friends of student athletes, and community
11 members have a right to support student athletes in high school by attending sporting events; and

12 Whereas, G.S. 115C-47(4) provides that "[l]ocal boards of education shall make all
13 rules and regulations necessary for the conducting of extracurricular activities in the schools
14 under their supervision, including a program of athletics ..."; and

15 Whereas, the First Amendment of the Constitution of the United States protects "the
16 right of the people peaceably to assemble"; Now, therefore,
17 The General Assembly of North Carolina enacts:

18 **SECTION 1.** Notwithstanding Article 1A of Chapter 166A of the General Statutes,
19 any executive order, secretarial order, or directive authorized pursuant to Article 1A of Chapter
20 166A of the General Statutes, or any other provision of law, for the remainder of the scheduled
21 2020-2021 school year, all public and nonpublic high schools shall limit the number of spectators
22 who are permitted to attend an outdoor sporting event, as follows:

23 (1) For each outdoor facility, including a park, field, or court, the number of
24 spectators shall amount to no more than fifty percent (50%) of the facility's
25 approved occupancy capacity under the fire code or, in the event the facility
26 does not have an occupancy capacity under the fire code, no more than seven
27 persons for every 1,000 square feet.

28 (2) In allowing access to outdoor sporting facilities in high schools, schools shall
29 comply with all requirements of both of the following, to the extent those
30 requirements do not conflict with this act:

31 a. The StrongSchoolsNC Public Health Toolkit (K-12), as that guidance
32 existed on February 2, 2021.

33 b. Interim Guidance for Administrators and Participants of Youth and
34 Amateur Sports Programs, as that guidance existed on January 28,
35 2021.



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1 **SECTION 2.** For purposes of this act, the term "spectator" does not include athletes,
2 employees of a public or nonpublic high school, entertainers, or staff providing support for the
3 sporting event.

4 **SECTION 3.** Nothing in this act shall be construed to prohibit a school, in the
5 discretion of the governing body of that school, from implementing stricter access to an outdoor
6 sporting event at that school.

7 **SECTION 4.** This act applies only to Anson County, Iredell County, Moore County,
8 Richmond County, Scotland County, Union County, and Yadkin County.

9 **SECTION 5.** This act is effective when it becomes law.