

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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SENATE BILL DRS15041-MT-47A

Short Title: Let Them Play and Let Us Watch. (Public)

Sponsors: Senators Johnson, Sawyer, and Britt (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.

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

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

10 **SECTION 1.** Notwithstanding Article 1A of Chapter 166A of the General Statutes,  
11 any executive order, secretarial order, or directive authorized pursuant to Article 1A of Chapter  
12 166A of the General Statutes, or any other provision of law, for the remainder of the scheduled  
13 2020-2021 school year, all public and nonpublic high schools shall limit the number of spectators  
14 who are permitted to attend an outdoor sporting event, as follows:

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

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

- 23 a. The StrongSchoolsNC Public Health Toolkit (K-12), as that guidance  
24 existed on February 2, 2021.  
25 b. Interim Guidance for Administrators and Participants of Youth and  
26 Amateur Sports Programs, as that guidance existed on January 28,  
27 2021.

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

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

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

