



2023-2024 General Assembly

HOUSE BILL 237: Various Criminal and Election Law Changes, Sec. 4: Increase Penalty for Impeding Road During a Demonstration

Committee:		Date:	August 23, 2024
Introduced by:		Prepared by:	Robert Ryan
Analysis of:	Sec. 4 of S.L. 2024-16		Staff Attorney

OVERVIEW: *Section 4 of S.L. 2024-16 imposes criminal and civil liability on individuals who obstruct emergency vehicles during demonstrations.*

This bill was vetoed by the Governor on June 21, 2024, and that veto was overridden by the General Assembly on June 27, 2024.

Section 4 of S.L. 2024-16 becomes effective December 1, 2024, and applies to offenses committed and causes of action arising on or after that date.

CURRENT LAW AND BILL ANALYSIS:

Under G.S. 20-174.1, it is a Class 2 misdemeanor to willfully stand, sit, or lie on a highway or street in a manner that impedes traffic.

Section 4 of the act modifies G.S. 20-174.1 and provides that a person who willfully impedes traffic while participating in a demonstration intended to impede traffic is guilty of a Class A1 misdemeanor for a first offense and a Class H felony for a second or subsequent offense. Similarly, a person who willfully impedes traffic and obstructs an emergency vehicle from accessing the road is guilty of a Class A1 misdemeanor. Lastly, a person who organizes a demonstration that impedes traffic is civilly liable for any injury or death that results from obstructing an emergency vehicle's use of the road. The organizer is liable regardless of any related criminal proceedings.

EFFECTIVE DATE: This bill was vetoed by the Governor on June 21, 2024, and that veto was overridden by the General Assembly on June 27, 2024.

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