

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.



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