

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 873*
Judiciary I Committee Substitute Adopted 5/6/93
Third Edition Engrossed 5/12/93

Short Title: No Obstruction/Hlth Facilities.

(Public)

Sponsors:

Referred to:

April 15, 1993

A BILL TO BE ENTITLED

AN ACT TO PROTECT A PERSON'S ACCESS TO PUBLIC OR PRIVATE BUILDINGS, BUSINESSES, OR FACILITIES.

The General Assembly of North Carolina enacts:

Section 1. Article 35 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-277.4. Obstruction of buildings, businesses, or facilities.

(a) No person shall act alone or conspire with another to obstruct or block another persons's ingress or egress of any public or private building, business, or facility, including any health care facility, and including the surrounding grounds and premises of the building, business, or facility, in a manner that deprives the person of or delays the person in the normal and customary use of the building, business, or facility.

(b) No person shall, acting alone or in conspiracy with another, injure or intimidate or attempt to injure a person seeking or providing the goods or services offered in the building, business, or facility.

(c) A violation of subsection (a) or (b) of this section is a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00), imprisonment not to exceed six months, or both. A second conviction for a violation of either subsection (a) or (b) of this section within three years of the first shall be punishable as a general misdemeanor. A third or subsequent conviction for a violation of either subsection (a) or (b) of this section within three years of the second or most recent conviction shall be punishable as a Class I felony.

1 (d) Any person aggrieved under this section may seek injunctive relief in a court
2 of competent jurisdiction to prevent threatened or further violations of this section. Any
3 violation of an injunction obtained pursuant to this section constitutes criminal contempt
4 and shall be punishable by a term of imprisonment of not less than 30 days and no more
5 than 12 months.

6 (e) This section shall not prohibit any person from engaging in lawful speech or
7 picketing which does not impede or obstruct another person's ingress or egress of the
8 building, business, or facility, or which does not interfere with the person's normal and
9 customary use of the building, business, or facility.

10 (f) Persons subject to the prohibitions of subsections (a) and (b) of this section
11 do not include owners, officers, agents, or employees of the building, business, or
12 facility or to law enforcement officers acting in the course of their employment."

13 Sec. 2. G.S. 14-277.2(a) reads as rewritten:

14 (a) It shall be unlawful for any person participating in, affiliated with, or present
15 as a spectator at any parade, funeral procession, picket line, or demonstration upon any
16 private building, business, or facility or upon any public place owned or under the
17 control of the State or any of its political subdivisions to willfully or intentionally
18 possess or have immediate access to any dangerous weapon. Violation of this
19 subsection shall be a misdemeanor. It shall be presumed that any rifle or gun carried on
20 a rack in a pickup truck at a holiday parade or in a funeral procession does not violate
21 the terms of this act."

22 Sec. 3. This act becomes effective October 1, 1993.