

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 885  
Committee Substitute Reported Without Prejudice 4/16/09  
Committee Substitute #2 Favorable 5/12/09

Short Title: Targeted Picketing.

(Public)

Sponsors:

Referred to:

March 31, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT PERSONS FROM PICKETING DIRECTED AT A SINGLE  
3 RESIDENCE IN A MANNER THAT WOULD CAUSE FEAR OR SUBSTANTIAL  
4 EMOTIONAL DISTRESS.

5 The General Assembly of North Carolina enacts:

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

8 "**§ 14-277.4A Targeted picketing of a residence.**

9 (a) Definitions. – As used in this section:

10 (1) "Residence" means any single-family or multifamily dwelling unit that is not  
11 being used as a targeted occupant's sole place of business or as a place of  
12 public meeting.

13 (2) "Targeted picketing" means picketing, with or without signs, that is  
14 specifically directed toward a residence, or one or more occupants of the  
15 residence, and that takes place on that portion of a sidewalk or street in front  
16 of the residence, in front of an adjoining residence, or on either side of the  
17 residence.

18 (b) It shall be unlawful for a person to engage in targeted picketing when the person  
19 knows or should know that the manner in which they are picketing would cause in a reasonable  
20 person any of the following:

21 (1) Fear for the person's safety or the safety of the person's immediate family or  
22 close personal associates.

23 (2) Substantial emotional distress. For the purposes of this subdivision,  
24 "substantial emotional distress" is defined as in G.S. 14-277.3A(b)(4).

25 (c) Any person who commits the offense defined in this section is guilty of a Class 2  
26 misdemeanor.

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

31 (e) Nothing in this section shall be construed to prohibit general picketing that proceeds  
32 through residential neighborhoods or that proceeds past residences."

33 **SECTION 2.** This act becomes effective December 1, 2009, and applies to  
34 offenses committed on or after that date.

