

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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HOUSE BILL 128

Short Title: Increase Access to Sporting Venues in Schools. (Public)

Sponsors: Representatives K. Hall, Elmore, D. Hall, and Willis (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - K-12, if favorable, Rules, Calendar, and Operations of the House

February 24, 2021

A BILL TO BE ENTITLED
AN ACT TO PERMIT INCREASED ACCESS TO CERTAIN INDOOR AND OUTDOOR
SPORTING FACILITIES FOR SPORTING EVENTS IN PUBLIC AND NONPUBLIC
SCHOOLS, COMMUNITY COLLEGES, AND CONSTITUENT INSTITUTIONS OF THE
UNIVERSITY OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding Article 1A of Chapter 166A of the General Statutes, any executive order, secretarial order, or directive authorized pursuant to Article 1A of Chapter 166A of the General Statutes, or any other provision of law, the following shall apply regarding attendance at indoor and outdoor sporting events for qualifying schools:

- (1) For each sporting facility with a certificate of occupancy in accordance with the North Carolina State Building Code, the number of spectators who are permitted to attend shall be no more than fifty percent (50%) of that capacity and no less than twenty-five percent (25%) of that capacity.
- (2) In allowing access to sporting facilities with a certificate of occupancy in accordance with the North Carolina State Building Code, qualifying schools shall comply with all applicable requirements of the following, to the extent those requirements do not conflict with this act:
 - a. The StrongSchoolsNC Public Health Toolkit (K-12), as that guidance existed on February 2, 2021.
 - b. Interim Guidance for Administrators and Participants of Youth and Amateur Sports Programs, as that guidance existed on January 28, 2021.
 - c. Interim Guidance for Institutions of Higher Education, as that guidance existed on December 23, 2020.

SECTION 2. For purposes of this act, the following definitions shall apply:

- (1) Spectator. – Any person who attends an indoor or outdoor sporting event for a qualifying school, excluding the following persons connected to the sporting event:
 - a. Athletes and their families. For purposes of this section, the term "family" refers to a spouse, lineal descendant, lineal ascendant, sibling, spouse's lineal descendant, spouse's lineal ascendant, spouse's sibling, and the spouse of any of these individuals.
 - b. Employees of a qualifying school.
 - c. Entertainers.



- 1 d. Support staff.
- 2 (2) Qualifying school. – Any of the following:
- 3 a. A public or nonpublic school serving students in all or part of grades
- 4 kindergarten through 12.
- 5 b. A community college under the jurisdiction of the State Board of
- 6 Community Colleges.
- 7 c. A constituent institution of The University of North Carolina.

8 **SECTION 3.** This act is effective when it becomes law and expires at the earlier of
9 the following:

- 10 (1) December 31, 2021.
- 11 (2) The date the Governor does either of the following:
- 12 a. Issues an executive order rescinding Executive Order No. 116 (2020),
- 13 Declaration of a State of Emergency to Coordinate Response and
- 14 Protective Actions to Prevent the Spread of COVID-19.
- 15 b. Lifts restrictions on indoor and outdoor gatherings related to the
- 16 COVID-19 pandemic.