

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 232
State and Local Government Committee Substitute Adopted 4/9/19
House Committee Substitute Favorable 7/6/20

Short Title: Repeal Death Invest Conf/Masks/Health&Safety.

(Public)

Sponsors:

Referred to:

March 13, 2019

A BILL TO BE ENTITLED

AN ACT TO REPEAL CONFIDENTIALITY OF CERTAIN DEATH INVESTIGATION
INFORMATION AND TO AUTHORIZE INDIVIDUALS TO WEAR MASKS AND FACE
COVERINGS FOR HEALTH PURPOSES AND TO ESTABLISH BUSINESS OWNER
AND OPERATOR COMPLIANCE WITH FACE COVERING REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. If Senate Bill 168, 2019 Regular Session, becomes law, then Section 2.5 of that act is repealed.

SECTION 2. Section 4.3(b) of S.L. 2020-3 reads as rewritten:

"SECTION 4.3.(b) This section is effective when it becomes law and expires August 1, 2020.law."

SECTION 3. G.S. 14-12.11, as amended by S.L. 2020-3 and Section 2 of this act, reads as rewritten:

"§ 14-12.11. Exemptions from provisions of Article.

(a) Any of the following are exempted from the provisions of G.S. 14-12.7, 14-12.8, 14-12.9, 14-12.10 and 14-12.14:

- (1) Any person or persons wearing traditional holiday costumes in season.
- (2) Any person or persons engaged in trades and employment where a mask is worn for the purpose of ensuring the physical safety of the wearer, or because of the nature of the occupation, trade or profession.
- (3) Any person or persons using masks in theatrical productions including use in Mardi Gras celebrations and masquerade balls.
- (4) Persons wearing gas masks prescribed in civil defense drills and exercises or emergencies.
- (5) Any person or persons, as members or members elect of a society, order or organization, engaged in any parade, ritual, initiation, ceremony, celebration or requirement of such society, order or organization, and wearing or using any manner of costume, paraphernalia, disguise, facial makeup, hood, implement or device, whether the identity of such person or persons is concealed or not, on any public or private street, road, way or property, or in any public or private building, provided permission shall have been first obtained therefor by a representative of such society, order or organization from the governing body of the municipality in which the same takes place, or, if not in a municipality, from the board of county commissioners of the county in which the same takes place.



1 (6) Any person wearing a mask for the purpose of ensuring the physical health or
2 safety of the wearer or others.

3 (a1) ~~Provided, that the provisions of this~~ This Article shall not apply to any preliminary
4 meetings held in good faith for the purpose of organizing, promoting or forming a labor union or
5 a local organization or subdivision of any labor union nor shall the provisions of this Article
6 apply to any meetings held by a labor union or organization already organized, operating and
7 functioning and holding meetings for the purpose of transacting and carrying out functions,
8 pursuits and affairs expressly pertaining to such labor union.

9 (b) Notwithstanding G.S. 14-12.7 and G.S. 14-12.8, a person may wear a mask for the
10 purpose of protecting the person's head, face, or head and face, when operating a motorcycle, as
11 defined in G.S. 20-4.01. A person wearing a mask when operating a motorcycle shall remove the
12 mask during a traffic stop, including at a checkpoint or roadblock under G.S. 20-16.3A, or when
13 approached by a law enforcement officer.

14 (c) ~~A~~Notwithstanding subdivision (a)(6) of this section, a person wearing a mask for the
15 purpose of ensuring the physical health or safety of the wearer or others shall remove the mask,
16 upon request by a law enforcement officer, in any of the following circumstances:

17 (1) During a traffic stop, including a checkpoint or roadblock pursuant to
18 G.S. 20-16.3A.

19 (2) When a law enforcement officer has reasonable suspicion or probable cause
20 during a criminal investigation."

21 **SECTION 4.(a)** No criminal or civil liability shall apply to the owner or operator of
22 a business establishment in connection with any provision of an executive order or any municipal
23 or county ordinance related to the public health emergency created by COVID-19 requiring
24 customers to wear face coverings inside the business establishment if the owner or operator of
25 the business clearly posts signage at the entrance of the establishment that face coverings are
26 required by executive order or any municipal or county ordinance.

27 **SECTION 4.(b)** Any business owner or operator that posts signage in accordance
28 with Section 4(a) shall not be held to be in violation of any executive order issued under Article
29 1A of Chapter 166A of the General Statutes or any municipal or county ordinance adopted under
30 that Article related to the public health emergency created by COVID-19 that requires customers
31 to wear face coverings in a business establishment.

32 **SECTION 4.(c)** This section is effective when it becomes law and expires on March
33 1, 2021.

34 **SECTION 5.** This act is effective when it becomes law.