

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**HOUSE BILL 686
Committee Substitute Favorable 5/3/19
Senate Commerce and Insurance Committee Substitute Adopted 6/18/20**

Short Title: Freedom to Celebrate the Fourth of July. (Public)

Sponsors:

Referred to:

April 11, 2019

A BILL TO BE ENTITLED
AN ACT TO PROTECT THE RIGHT TO CELEBRATE THE FOURTH OF JULY, IN
COMMEMORATION OF THE DECLARATION OF INDEPENDENCE OF THE UNITED
STATES.

Whereas, on July 4, 1776, the Second Continental Congress adopted the final draft of the Declaration of Independence, declaring freedom of the 13 American colonies from British rule at a meeting held in Philadelphia, Pennsylvania; and

Whereas, the 56 signers of the Declaration of Independence included three North Carolinians, William Hooper, Joseph Hewes, and John Penn; and

Whereas, on May 16, 1783, the General Assembly "Resolved, that the fourth day of July be and is hereby appointed a day of General Thanksgiving and praise to Almighty God for the gracious Interposition of Divine Providence in behalf of this nation ..."; and

Whereas, the North Carolina General Assembly on May 16, 1783, passed a resolution commemorating the Fourth of July, and was the first State to do so; and

Whereas, the first Fourth of July celebration in the country was proclaimed by Governor Alexander Martin in 1783 as a result of that resolution; and

Whereas, Independence Day is the most important holiday celebrating our nation's founding; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding G.S. 166A-19.30, the Governor shall not prohibit parades, or firework displays discharged in accordance with Article 54 of Chapter 14 of the General Statutes, to be held on July 4, commemorating the Declaration of Independence by the United States.

SECTION 2. Notwithstanding G.S. 166A-19.31, a municipality or county shall not prohibit parades, or firework displays discharged in accordance with Article 54 of Chapter 14 of the General Statutes, to be held on July 4, commemorating the Declaration of Independence by the United States.

SECTION 3. Notwithstanding G.S. 166A-19.30(d) and G.S. 166A-31(h), a person shall not be prosecuted for the Class 2 misdemeanor for violation of a declaration or executive order merely for the act of attending or participating in a parade, or firework display discharged in accordance with Article 54 of Chapter 14 of the General Statutes, held on July 4, commemorating the Declaration of Independence by the United States.

SECTION 4. No person shall be liable civilly for any act or omission alleged to have resulted in the contraction of COVID-19 during a parade, or firework display discharged in accordance with Article 54 of Chapter 14 of the General Statutes, held on July 4, unless the act



1 or omission amounts to gross negligence, willful or wanton conduct, or intentional wrongdoing.

2 This section does not apply to any of the following:

3 (1) Claims before the Industrial Commission seeking benefits payable under the
4 Workers' Compensation Act, Article 1 of Chapter 97 of the General Statutes.

5 (2) Claims arising later than one year after the expiration or rescission of
6 Executive Order No. 116 issued March 10, 2020.

7 **SECTION 5.** This act is effective when it becomes law and expires when any
8 applicable declaration of emergency prohibitions and restrictions expire or are terminated to
9 permit parades and firework displays on the Fourth of July.