

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

**HOUSE BILL 686  
RATIFIED BILL**

**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, scheduled to occur between 5:00 P.M. on July 1st and 5:00 P.M. on July 10th.

**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, scheduled to occur between 5:00 P.M. on July 1st and 5:00 P.M. on July 10th. No municipality or county shall deny or revoke a reasonable permit for a parade, or firework display discharged in accordance with Article 54 of Chapter 14 of the General Statutes, scheduled to occur between 5:00 P.M. on July 1st and 5:00 P.M. on July 10th. For a municipality or county to revoke or deny a permit that is substantially the same as a permit that was approved for a parade or fireworks display that was scheduled to be held between 5:00 P.M. on July 1st, 2019, and 5:00 P.M. on July 10th, 2019, a finding of good cause by the governing board is required, and the finding must be documented in writing.

**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, scheduled to occur between 5:00 P.M. on July 1st and 5:00 P.M. on July 10th.

**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, scheduled to occur between



5:00 P.M. on July 1st and 5:00 P.M. on July 10th, unless the act or omission amounts to gross negligence, willful or wanton conduct, or intentional wrongdoing. This section does not apply to any of the following:

- (1) Claims before the Industrial Commission seeking benefits payable under the Workers' Compensation Act, Article 1 of Chapter 97 of the General Statutes.
- (2) Claims arising later than one year after the expiration or rescission of Executive Order No. 116 issued March 10, 2020.

**SECTION 5.** This act is effective when it becomes law, and applies to any parades or firework displays scheduled to occur between 5:00 P.M. on July 1st and on 5:00 P.M. July 10th. Except as otherwise provided, this act expires when any applicable declaration of emergency prohibitions and restrictions on parades and firework displays scheduled to occur between 5:00 P.M. on July 1st and 5:00 P.M. on July 10th, expire or are terminated.

In the General Assembly read three times and ratified this the 24<sup>th</sup> day of June, 2020.

s/ Philip E. Berger  
President Pro Tempore of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

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Roy Cooper  
Governor

Approved \_\_\_\_\_m. this \_\_\_\_\_ day of \_\_\_\_\_, 2020