

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 997

Short Title: Ignore Emergency Warning.

(Public)

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Sponsors: Senators Plyler; and Conder.

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Referred to: Judiciary.

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April 21, 1997

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT A PERSON WHO IGNORES A WARNING  
2 REGARDING PERSONAL SAFETY IN A DISASTER SITUATION AND PLACES  
3 HIMSELF OR HERSELF OR ANOTHER IN DANGER AND REQUIRES AN  
4 EMERGENCY RESCUE IS GUILTY OF A CLASS 2 MISDEMEANOR AND IS  
5 ALSO CIVILLY LIABLE FOR THE COSTS OF THE RESCUE EFFORT.  
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7 The General Assembly of North Carolina enacts:

8 Section 1. Article 36A of Chapter 14 of the General Statutes is amended by  
9 adding a new section to read:

10 "**§ 14-288.21. Willfully ignore warning in a disaster.**

11 (a) A person is guilty of a Class 2 misdemeanor if:

12 (1) There is a disaster as defined by G.S. 166-4;

13 (2) A warning is issued by a federal, State, or local law enforcement  
14 agency, emergency management agency, or other governmental agency  
15 responsible for emergency management under G.S. 166A-5, 166A-7, or  
16 166A-8 regarding personal safety;

17 (3) The person willfully ignores the warning: (i) to engage in an activity or  
18 course of action that a reasonable person would not pursue, or (ii) fails  
19 to take a course of action that a reasonable person would pursue;

20 (4) As a result places himself or herself or another in danger; and

1           (5) A governmental rescue effort is undertaken on the endangered person's  
2           behalf.

3           (b) A person who violates subsection (a) of this section is civilly liable to any  
4 governmental agency conducting a rescue on the endangered person's behalf for the cost  
5 of the rescue effort."

6           Section 2. This act becomes effective December 1, 1997, and applies to  
7 offenses committed on or after that date.