

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2009**

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**HOUSE BILL 885**

Short Title: No Picketing/Disrupt Residential Tranquility. (Public)

Sponsors: Representatives Ross; Glazier and Lucas.

Referred to: Ways and Means/Broadband Connectivity, if favorable, Judiciary I.

March 31, 2009

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT PERSONS ASSEMBLING FOR THE PURPOSE OF PICKETING DIRECTED AT A SINGLE RESIDENCE IN A MANNER THAT DISRUPTS THE TRANQUILITY OF THAT RESIDENCE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-277.4 reads as rewritten:

**"§ 14-277.4. Obstruction of health care facilities.**

(a) No person shall obstruct or block another person's access to or egress from a health care facility or from the common areas of the real property upon which the facility is located in a manner that deprives or delays the person from obtaining or providing health care services in the facility.

(b) No person shall injure or threaten to injure a person who is or has been:

(1) Obtaining health care services;

(2) Lawfully aiding another to obtain health care services; or

(3) Providing health care services.

(b1) No person shall assemble with another person for the purpose of engaging in picketing directed at or focused on a single residence in a manner that disrupts the tranquility of that residence.

(c) A violation of subsection ~~(a) or (b)~~ (a), (b), or (b1) of this section is a Class 2 misdemeanor. A second conviction for a violation of ~~either~~ either subsection ~~(a) or (b)~~ (a), (b), or (b1) of this section within three years of the first shall be punishable as a Class 1 misdemeanor. A third or subsequent conviction for a violation of ~~either~~ either subsection ~~(a) or (b)~~ (a), (b), or (b1) of this section within three years of the second or most recent conviction shall be punishable as a Class I felony.

(d) Any person aggrieved under this section may seek injunctive relief in a court of competent jurisdiction to prevent threatened or further violations of this section. Any violation of an injunction obtained pursuant to this section constitutes criminal contempt and shall be punishable by a term of imprisonment of not less than 30 days and no more than 12 months.

(e) This section shall not prohibit any person from engaging in lawful speech or picketing which does not impede or deny another person's access to health care services or to a health care facility or interfere with the delivery of health care services within a health care facility.

(f) "Health care facility" as used in this section means any hospital, clinic, or other facility that is licensed to administer medical treatment or the primary function of which is to provide medical treatment in this State.

(g) "Health care services" as used in this section means services provided in a health care facility.



1 (h) Persons subject to the prohibitions in subsection (a) of this section do not include  
2 owners, officers, agents, or employees of the health care facility or law enforcement officers  
3 acting to protect real or personal property.

4 (i) Nothing in this section shall be construed to prohibit general picketing that proceeds  
5 through residential neighborhoods or that proceeds past residences."

6 **SECTION 2.** This act becomes effective December 1, 2009, and applies to  
7 offenses committed on or after that date.