

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 718
HOUSE BILL 226

AN ACT TO PROHIBIT INTERFERENCE WITH CIVIL RIGHTS.

The General Assembly of North Carolina enacts:

Section 1. The General Statutes are amended by adding a new Chapter to read:

"Chapter 99D.

"Civil Rights.

"Section 99D-1. **Interference with Civil Rights.**—(a) It is a violation of this Chapter if:

- (1) Two or more persons, motivated by race, religion, ethnicity, or gender, but whether or not acting under color of law, conspire to interfere with the exercise or enjoyment by any other person or persons of a right secured by the Constitutions of the United States or North Carolina, or of a right secured by a law of the United States or North Carolina that enforces, interprets, or impacts on a constitutional right; and
- (2) One or more persons engaged in such a conspiracy use force, repeated harassment, violence, physical harm to persons or property, or direct or indirect threats of physical harm to persons or property to commit an act in furtherance of the object of the conspiracy; and
- (3) The commission of an act described in subdivision (2) interferes, or is an attempt to interfere, with the exercise or enjoyment of a right, described in subdivision (1), of another person.

(b) Any person whose exercise or enjoyment of a right described in subdivision (a)(1) has been interfered with, or against whom an attempt has been made to interfere with the exercise or enjoyment of such a right, by a violation of this Chapter may bring a civil action. The court may award to a prevailing party compensatory damages, punitive damages, court costs, and reasonable attorneys' fees. The court may also restrain and enjoin such future acts by any party.

(c) No civil action may be brought or maintained, and no liability may be imposed, under this Chapter against a governmental unit, a government official with respect to actions taken within the scope of his official governmental duties, or an employer or his agent with respect to actions taken concerning his employees within the scope of the employment relationship."

Sec. 2. This act shall become effective October 1, 1987.

In the General Assembly read three times and ratified this the 3rd day of August, 1987.