

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 335*

Short Title: Sexual Harassment Misdemeanor.

(Public)

Sponsors: Representatives Barnes; Fitch and S. Thompson.

Referred to: Judiciary.

February 23, 1989

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT SEXUAL HARASSMENT IN THE RENTAL OF
RESIDENTIAL PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 14 of the General Statutes is amended by adding a new
Section 14-395.1 to read:

"§ 14-395.1. Sexual harassment.

(a) Offense. If any lessor of residential real property or the agent of any lessor of residential real property shall harass on the basis of sex any lessee or prospective lessee of the property, he shall be guilty of a misdemeanor. A term of imprisonment may be suspended on condition that the offender be ordered to perform community service consistent with the nature and seriousness of the harassing conduct.

(b) Definitions. For purposes of this section,

(1) 'Harass' shall include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (i) submission to such conduct is made either explicitly or implicitly a term of the execution or continuation of the lease agreement, (ii) submission to or rejection of such conduct by an individual is used to determine whether normal privileges under the lease are provided, or (iii) such conduct has the purpose of unreasonably creating an intimidating, hostile, or offensive living environment for the lessee;

(2) 'Lessee' means a person who enters into a residential rental agreement with the lessor and all other persons residing in the lessee's rental unit.

1 Sec. 2. This act shall become effective July 1, 1989, and shall apply to acts
2 committed on and after that date.