

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 969
SENATE BILL 168

1 AN ACT TO AMEND CHAPTER 127 OF THE GENERAL STATUTES SO AS TO GRANT
2 CERTAIN MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD OR STATE
3 DEFENSE MILITIA IMMUNITY FROM CRIMINAL OR CIVIL LIABILITY FOR
4 ACTS DONE IN THE PERFORMANCE OF THEIR DUTIES DURING TIME OF
5 PUBLIC DISASTER OR CRISIS.

6
7 The General Assembly of North Carolina do enact:
8

9 **Section 1.** Chapter 127 of the General Statutes is hereby amended by inserting a
10 new section immediately following G.S. 127-106.1 to be designated as G.S. 127-106.2 and to
11 read as follows:

12 **"G.S. 127-106.2. Immunity of guardsmen from civil and criminal liability.** (a) A member
13 of the North Carolina National Guard or State defense militia in active State service, while
14 acting in aid of civil authorities and in the line of duty shall have the immunities of a law
15 enforcement officer.

16 "(b) Whenever members of the North Carolina National Guard or State defense militia
17 are called into active State service to execute the laws, engage in disaster relief, suppress or
18 prevent actual or threatened riot or insurrection, repel invasion, apprehend or disperse any
19 snipers, rioters, mob or unlawful assembly, they shall have the immunities of a law
20 enforcement officer.

21 **Sec. 2.** All laws and clauses of laws in conflict with the provisions of this Act are
22 hereby repealed.

23 **Sec. 3.** This Act shall be in full force and effect from and after its ratification.
24 In the General Assembly read three times and ratified, this the 23rd day of June,
25 1969.