GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 211
Committee Substitute Favorable 4/13/21

Short Title: Reopen Bars and Restaurants. (Public)

Sponsors:

Referred to:

March 4, 2021

A BILL TO BE ENTITLED

AN ACT TO ALLOW ESTABLISHMENTS THAT SERVE FOOD AND DRINK TO OPERATE AND CONDUCT BUSINESS ACTIVITY PROVIDED CERTAIN CONDITIONS ARE MET.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding prohibitions or restrictions imposed by any executive order issued by the Governor during a state of emergency under Article 1A of Chapter 166A of the General Statutes, any declaration of emergency issued by a municipality or county pursuant to G.S. 166A-19.22, or any municipal or county ordinance adopted pursuant to a declaration of emergency related to the public health emergency created by COVID-19, any (i) establishment that prepares or serves food or drink, as defined in and regulated under Part 6 of Article 8 of Chapter 130A of the General Statutes, (ii) private club or private bar, as defined by G.S. 18B-1000, (iii) winery permitted pursuant to G.S. 18B-1101 or G.S. 18B-1102, (iv) distillery permitted pursuant to G.S. 18B-1105, or (v) any other permittee that may serve malt beverages, unfortified wine, fortified wine, or mixed beverages for on-premises consumption pursuant to a permit under G.S. 18B-1001 may open and operate its food and drink service for on-premises consumption without additional restrictions provided all of the following apply:

(1) The establishment was in existence on March 10, 2020, is properly licensed and permitted, and holds all necessary State and local regulatory permits, including, if applicable, any necessary ABC permits.

(2) The establishment (i) requires every employee of the establishment to self-administer or undergo a temperature check daily prior to beginning work, (ii) requires that every employee answer a health questionnaire about known contacts or exposure to COVID-19 provided by the establishment prior to beginning work, and (iii) prohibits any employee a reasonable person would identify as showing respiratory illness symptoms, COVID-19 symptoms, or presenting to work with a fever of 100.4 degrees Fahrenheit or higher from entering the establishment to work.

(3) The establishment performs frequent and routine environmental cleaning and disinfection of high-touch areas with EPA-approved disinfectant for SARS-CoV-2.

(4) If the establishment offers buffet-style service or self-service, the establishment must provide disposable gloves and require masks to be worn while guests and employees are using the buffet-style service or self-service areas. No beverages shall be self-served.

(5) The establishment limits the number of guests at each table to no more than 10 seated together at the same time, unless more than 10 guests are members of the same household.

SECTION 2. This act is effective when it becomes law and expires upon the expiration or termination of all prohibitions and restrictions on the service of food and drink established pursuant to any executive order, declaration of emergency, or ordinance related to COVID-19 described in Section 1 of this act.