A BILL TO BE ENTITLED
AN ACT TO CREATE THE CRIMINAL OFFENSE OF ECONOMIC TERRORISM, TO
ESTABLISH CIVIL LIABILITY FOR ECONOMIC TERRORISM, TO CREATE A DUTY
FOR A RESPONSIBLE PUBLIC OFFICIAL TO TAKE ACTION TO CLEAR TRAFFIC
OBSTRUCTIONS RESULTING FROM UNLAWFUL ACTIVITIES, TO INCREASE
CRIMINAL PENALTIES FOR OBSTRUCTING TRAFFIC WHILE PARTICIPATING IN
UNLAWFUL ACTIVITIES, AND TO PROVIDE CIVIL LIABILITY FOR THE COSTS OF
RESPONDING TO TRAFFIC OBSTRUCTIONS AND CERTAIN OTHER UNLAWFUL
ACTIVITIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-10.1 reads as rewritten:

"§ 14-10.1. Terrorism.

(a) As used in this section, the term "act of violence" means a violation of G.S. 14-17; a
felony punishable pursuant to G.S. 14-18; any felony offense in this Chapter that includes an
assault, or use of violence or force against a person; any felony offense that includes either the
threat or use of any explosive or incendiary device; or any offense that includes the threat or use of
a nuclear, biological, or chemical weapon of mass destruction.

(b) A person is guilty of the separate offense of violent terrorism if the person commits an
act of violence with the intent to do either of the following:

1. Intimidate the civilian population at large, or an identifiable group of the
civilian population.
2. Influence, through intimidation, the conduct or activities of the government of
the United States, a state, or any unit of local government.

(b1) A person is guilty of the separate offense of economic terrorism if the person willfully
and maliciously or with reckless disregard commits a criminal offense that impedes or disrupts the
regular course of business, the disruption results in damages of more than one thousand dollars
($1,000), and the offense is committed with the intent to do either of the following:

1. Intimidate the civilian population at large, or an identifiable group of the
civilian population.
2. Influence, through intimidation, the conduct or activities of the government of
the United States, a state, or any unit of local government.

(c) A violation of subsection (b) of this section is a felony that is one class higher than the
offense which is the underlying act of violence, except that a violation is a Class B1 felony if the
underlying act of violence is a Class A or Class B1 felony offense. A violation of subsection (b) of
this section is a separate offense from the underlying offense and shall not merge with other
offenses.
A violation of subsection (b1) of this section is a Class H felony. A violation of subsection (b1) of this section is a separate offense from the underlying offense and shall not merge with other offenses.

(d) All real and personal property of every kind used or intended for use in the course of, derived from, or realized through an offense punishable pursuant to this Article shall be subject to lawful seizure and forfeiture to the State as set forth in G.S. 14-2.3 and G.S. 14-7.20. However, the forfeiture of any real or personal property shall be subordinate to any security interest in the property taken by a lender in good faith as collateral for the extension of credit and recorded as provided by law, and no real or personal property shall be forfeited under this section against an owner who made a bona fide purchase of the property, or a person with rightful possession of the property, without knowledge of a violation of this Article.

(e) Any person whose property or person is injured by reason of a violation of this section may sue for and recover treble damages, costs, and attorneys’ fees pursuant to G.S. 1-539.2D.

SECTION 2. G.S. 1-539.2D reads as rewritten:

"§ 1-539.2D. Civil liability for acts of terror.

(a) The following definitions apply in this section:

(1) Act of violent terror. – An activity with all of the following characteristics:
   a. Involves violent acts or acts dangerous to human life that violate federal or State law.
   b. Appears to be intended (i) to intimidate or coerce a civilian population, (ii) to influence the policy of a government by intimidation or coercion, or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping.
   c. Occurs primarily within this State.

(1a) Act of economic terror. – An act that is a violation of G.S. 14-10.1(b1).

(2) Terrorist. – A person who commits an act of terror, violent terror or an act of economic terror, including a person who acts as an accessory before or after the fact, aids or abets, solicits, or conspires to commit an act of terror or who lends material support to an act of terror.

(b) Any person whose property or person is injured by a terrorist may sue for and recover damages from the terrorist.

(c) Any person who files an action under this section is entitled to recover three times the actual damages sustained or fifty thousand dollars ($50,000), whichever is greater, as well as court costs and attorneys’ fees in the trial and appellate courts if the person prevails in the claim.

(d) The rights and remedies provided by this section are in addition to any other rights and remedies provided by law."

SECTION 3. Chapter 1 of the General Statutes is amended by adding a new Article to read:

"Article 53.

"§ 1-640. Liability for public safety response costs.

(a) A person is civilly liable to a State agency or other political subdivision of the State for public safety response costs incurred by the State agency or other political subdivision of the State if the person is convicted of participation in an unlawful assembly, riot under G.S. 14-288.2, or obstructing traffic under G.S. 14-274.1. For purposes of this section, "public safety costs" means the costs incurred for the purpose of responding to the unlawful assembly, riot, or obstruction of traffic.

(b) A State agency or political subdivision of the State may bring a civil action to recover public safety costs and related legal, administrative, and court costs."

SECTION 4. G.S. 14-159.13 reads as rewritten:

"§ 14-159.13. Second degree trespass.
(a) Offense. – A person commits the offense of second degree trespass if, without authorization, he enters or remains on premises of another:

(1) After he has been notified not to enter or remain there by the owner, by a person in charge of the premises, by a lawful occupant, or by another authorized person; or

(2) That are posted, in a manner reasonably likely to come to the attention of intruders, with notice not to enter the premises.

(b) Classification. – Second-degree trespass is a Class 3 misdemeanor.

(c) Any person, except the owner or lessee of the premises, the family and nonrioting guests of the owner or lessee, and public officers and persons assisting them, who remains at the place of any riot or unlawful assembly after having been lawfully warned to disperse is guilty of a Class 1 misdemeanor.

SECTION 5. Chapter 20 of the General Statutes is amended by adding a new section to read:

"§ 20-174.3. Duty to clear roads.

(a) The following definitions apply in this section:

(1) Mass traffic obstruction. – An incident in which, as part of (or as the result of) a protest, riot, or other assembly, at least 10 persons obstruct vehicular traffic in violation of G.S. 20-174.1.

(2) Responsible public official. – The mayor of a town or city with respect to an incident that occurs in a municipality or a sheriff with respect to an incident that occurs in the unincorporated area of a county.

(b) A responsible public official shall, after first learning that a mass traffic obstruction exists in the official's jurisdiction, dispatch available law enforcement officers to the mass traffic obstruction with directions to clear the roads of the persons unlawfully obstructing vehicular traffic."

SECTION 6. G.S. 20-174.1 reads as rewritten:

"§ 20-174.1. Standing, sitting or lying upon highways or streets prohibited.

(a) No person shall willfully stand, sit, or lie upon the highway or street in such a manner as to impede the regular flow of traffic.

(b) Violation. – Except as provided by subsection (c) of this section, a violation of this section is a Class 2 misdemeanor.

(c) A violation of subsection (a) of this section by participation in a riot or other unlawful assembly is a Class A1 misdemeanor."

SECTION 7. This act becomes effective December 1, 2017, and applies to offenses committed on or after that date.