

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H.B. 572  
Apr 14, 2021  
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH40331-MV-3

Short Title: Prohibit PPE That Exceeds Law.

(Public)

Sponsors: Representative Kidwell.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT FRANCHISORS FROM REQUIRING FRANCHISEES TO USE  
3 PERSONAL PROTECTIVE EQUIPMENT DURING AN EMERGENCY THAT  
4 EXCEEDS THE PERSONAL PROTECTIVE EQUIPMENT REQUIRED BY LAW  
5 DURING THE EMERGENCY.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 3 of Chapter 95 of the General Statutes is amended by adding  
8 a new section to read:

9 "**§ 95-28.2A. Franchisors prohibited from requiring personal protective equipment during**  
10 **an emergency in excess of personal protective equipment required by law.**

11 During a period in which a state of emergency has been declared pursuant to  
12 G.S. 166A-19.20, a franchisor of a franchisee operating in North Carolina shall not require the  
13 franchisee or the employees of the franchisee to use personal protective equipment in excess of  
14 the use of personal protective equipment required by directives carrying the force of law. For the  
15 purposes of this section, a contractual term is not a directive carrying the force of law. Any  
16 contractual term, or any directive of a franchisor pursuant to a contractual term, that would result  
17 in violation of this section is void."

18 **SECTION 2.** This act is effective when it becomes law and applies to contracts  
19 entered into, amended, or renewed on or after that date.

