

## A RESOLUTION IN OPPOSITION TO NC HB 237

**WHEREAS**, Since 1953, North Carolina has adhered to state general statutes on masking ([general statutes on masking](#)) the purpose of which is to restrict secret societies such as the Ku Klux Klan, to disguise or conceal the identity of the wearer, and

**WHEREAS**, according to Coates' Canons NC Local Government Law, the [G.S. 14-12 11 \(a\)](#) provides six exemptions to these prohibitions that presently allow the wearing of masks, hoods, or other devices that conceal identity. In response to Covid-19, a sixth exemption was added in 2020 and states: § 14-12.11. Exemptions from provisions of Article (6) Any person wearing a mask for the purpose of ensuring the physical health or safety of the wearer or others, and, the NC health exemption was initially to sunset August 1, 2020. [S.L. 2020-3, Sec. 4.3](#) The NC legislature subsequently removed the sunset of the exemption to make the provision permanent. [S.L. 2020-93, secs. 2, 3.](#) and,

**WHEREAS**, in response to the Covid-19 pandemic, consistent with the State of North Carolina Department of Health and Human Services, on August 9, 2021, the Town of Carrboro required all employees and visitors accessing town facilities to wear masks, regardless of vaccination status, and since that law has had an exemption for people wearing masks for health and safety reasons, and

**WHEREAS**, the North Carolina House Bill 237, titled Unmasking Mobs and Criminals, allows some [exceptions](#) to the unmasking bill for a “secret society or organization to wear masks or hoods in a parade or demonstration if they obtain permission” or “by a person wearing a traditional holiday costume in season.” The bill allows an exemption for clowns to mask as part of their professional work, in essence, a cancer patient can't wear a mask, yet a clown performer can, and

**WHEREAS**, the strikethrough of the existing law removes mask wearing for health and safety exemptions for the most vulnerable of our citizens by health, immunocompromised, age, disability or other concern for protecting the health or safety of the wearer and/or the health of their loved ones, and

**WHEREAS**, the May 15, 2024, health exemption (6) strikethrough of “Any person wearing a mask for the purpose of ensuring the physical health or safety of the wearer or others” action on the part of North Carolina Republican-controlled State Senate, now reads; “Individuals would no longer be able to wear masks in public for health or safety reasons,” and,

**WHEREAS**, on June 7, 2022 the Town of Carrboro adopted a Comprehensive Plan with twin foundational pillars. In March 2023, The Town of Carrboro adopted the Race Equity Assessment Lens (REAL) tools which inform and embed equity in Town governance decision making. The Decision Making for Racial Equity (DRE tool), and Pocket Questions ask what are

the racial impacts, who will experience burden, who will benefit, House Bill 237, will disparately impact and burden the most vulnerable of Carrboro's citizens, and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Town of Carrboro Council in the interest of ensuring the continued health, safety and well-being of its citizens stand in opposition to NC HB 237, urge our legislators to not advance HB 237, not to pass the bill as currently written and press our local municipal and county elected representative bodies to stand in opposition to this bill.

This day, May 21, 2024