

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

**S**

**1**

**SENATE BILL 2080**

Short Title: UNC Campus Safety/Funds. (Public)

---

Sponsors: Senators Rand and Hagan.

---

Referred to: Judiciary I (Civil).

---

May 28, 2008

A BILL TO BE ENTITLED

1 AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE RECOMMENDATIONS  
2 OF THE UNC CAMPUS SAFETY TASK FORCE, TO DIRECT THE  
3 UNIVERSITY OF NORTH CAROLINA IN CONJUNCTION WITH THE  
4 DEPARTMENT OF PUBLIC INSTRUCTION, THE DEPARTMENT OF  
5 COMMUNITY COLLEGES, AND NORTH CAROLINA INDEPENDENT  
6 COLLEGES AND UNIVERSITIES TO STUDY THE ISSUE OF PROVIDING  
7 QUALIFIED IMMUNITY TO HEALTH PROFESSIONALS FOR THE  
8 DISCLOSURE OF CONFIDENTIAL INFORMATION WHEN THE  
9 DISCLOSURE IS FOR THE PURPOSE OF PREVENTING OR MITIGATING  
10 HARM TO OTHERS, AND TO MAKE IT A CRIMINAL OFFENSE TO  
11 COMMUNICATE A THREAT OF MASS VIOLENCE ON EDUCATIONAL OR  
12 COMMERCIAL PROPERTY.  
13

14 The General Assembly of North Carolina enacts:

15 **SECTION 1.** There is appropriated from the General Fund to the Board of  
16 Governors of The University of North Carolina the sum of eleven million seven  
17 hundred thousand dollars (\$11,700,000) in recurring funds and the sum of seventeen  
18 million five hundred thousand dollars (\$17,500,000) in nonrecurring funds for the  
19 2008-2009 fiscal year to support the recommendations of the UNC Campus Safety Task  
20 Force.

21 **SECTION 2.(a)** The University of North Carolina, in conjunction with the  
22 Department of Community Colleges, the Department of Public Instruction, and the  
23 North Carolina Independent Colleges and Universities shall study the issue of providing  
24 qualified immunity to mental health and health professionals for the disclosure of  
25 confidential information when the disclosure is for the purpose of preventing or  
26 mitigating harm to others, consistent with the recommendations of the UNC Campus  
27 Safety Task Force. The University shall seek the input of licensing bodies of the mental  
28 health and health professionals when developing its recommendations.

1           **SECTION 2.(b)** The University of North Carolina shall submit a final report  
2 of the results of this study to the Joint Select Committee on Governmental Immunity,  
3 including any legislative recommendations for consideration during the 2009 General  
4 Assembly.

5           **SECTION 3.** Article 35 of Chapter 14 of the General Statutes is amended by  
6 adding a new section to read:

7 **"§ 14-277.5. Communicating a threat of mass violence on educational or**  
8 **commercial property.**

9       (a) The following definitions apply in this section:

10           (1) Commercial property. – The term includes a small business.

11           (2) Educational property. – As defined in G.S. 14-269.2.

12           (3) Mass violence. – Physical injury that a reasonable person would  
13 conclude could lead to permanent injury (including mental or  
14 emotional injury) or death to two or more people.

15           (4) School. – As defined in G.S. 14-269.2.

16       (b) A person is guilty of a Class H felony if without lawful authority the person  
17 does all of the following:

18           (1) Willfully threatens to commit an act of mass violence on educational  
19 property, at a curricular or extracurricular activity sponsored by a  
20 school, or on commercial property.

21           (2) Communicates that threat to any person or group of persons by any  
22 means of communication.

23           (3) Makes the threat in a manner and under circumstances that would  
24 cause a reasonable person to believe that the threat is likely to be  
25 carried out.

26       (c) The court may order a person convicted under this section to pay restitution,  
27 including costs and consequential damages resulting from the disruption of the normal  
28 activity that would have otherwise occurred on the premises but for the threat, pursuant  
29 to Article 81C of Chapter 15A of the General Statutes."

30           **SECTION 4.** Section 1 of this act becomes effective July 1, 2008. Section 3  
31 of this act becomes effective December 1, 2008, and applies to offenses committed on  
32 or after that date. The remainder of this act is effective when it becomes law.