#### NCAA CHAMPIONSHIPS – ANTI-DISCRIMINATION POLICY

#### **Introduction**

At its April 2016 meeting, the NCAA Board of Governors took steps to protect participants and spectators from discrimination at NCAA events. The board adopted a new requirement for hosting or bidding on NCAA events in all divisions — from the Men's and Women's Final Fours to educational events such as leadership development conferences — to demonstrate how they will provide an environment that is safe, healthy, and free of discrimination, plus safeguards the dignity of everyone involved in the event.

The board's decision integrates the new requirement into the bidding process for championships, adding it to information already required that outlines available access for people with disabilities and details on playing and practice facilities. The board directed the NCAA national office staff to finalize details related to the statement's implementation; additional information will be made available as those processes are determined.

The board's decision follows the recent actions of legislatures in several states, which have passed laws allowing residents to refuse to provide services to some people based on their sexual orientation or gender identity. While proponents of the laws focus on how they protect religious beliefs, critics have voiced concerns that they create an environment of sanctioned discrimination.

The board's decision reaffirms the NCAA's commitment to operate championships and events that promote an inclusive atmosphere in which student-athletes participate, coaches and administrators lead and fans engage.

Historically, the Association has used the opportunity to host its events as a means to make clear its values. The Association now prohibits championships events with predetermined sites in states where governments display the Confederate battle flag, and prohibits NCAA members from hosting championships events if their school nicknames use Native American imagery that is considered abusive and offensive.

The new requirement integrates appropriate protections against discrimination into the championships bidding process. Board members feel the measure will provide assurance that anyone associated with an NCAA championship event – whether they are working, playing or cheering – will be treated with fairness and respect.

The new selection criteria, procedures and the status of currently awarded sites will be reported to the Board of Governors Ad Hoc Committee to Promote Cultural Diversity and Equity and full implementation is expected during the current bidding process.

#### **Directions**

The Ad Hoc Committee has authorized that the NCAA national office pose the questions below to those bidding for NCAA championships and to those who already have been awarded championships. This may be just the first step to provide information to the Ad Hoc Committee and NCAA staff for evaluation.

Please fully answer the questions below and provide all requested supporting documentation. If you have questions, they may be submitted to the championships portal at: championshipbid@ncaa.org. Responses to questions posed to NCAA Staff will be posted for all bidders to see and reference in the FAQ section at ncaa.org/bids.

Definition of Facility: All locations that house official events of the NCAA Championship you are hosting or bidding on, including but not limited to championship venue, banquet, practice venue, and fan festivals.

Definition of Event: The NCAA Championship and all official events.

Definition of Law, Regulation, or Policy: Any enacted action of a government entity at the state, county, parish, local, or campus levels. Or, a rule or policy that is in effect at a Facility.

You must supplement your responses with any material changes to Law, Regulation, or Policy occurring after the submission of this document.

#### ALL BIDDERS SHOULD ANSWER ALL QUESTIONS:

1. What city or cities are host locations for NCAA events?

Cary, NC

The Town of Cary is answering these questions regarding Events at Town owned and operated Facilities, which Events the Town co-hosts with an NCAA member institution designated as the "Host Institution".

•	•	county/parish, persons?	and/or	state	passed	anti-	discrimination	laws	that	are
		X YES	S			)				

For this response and all following, please note that we understand the questions to relate to the city, which in our case is the Town of Cary ('Cary'), the county/parish (in this case, Wake County and Chatham County N.C.) and the State of North Carolina in the in the aggregate and in the alternative because of the use of 'and/or.' For example, this Question 2 can be read to ask if all of the three units of government have 'passed anti-discrimination laws' or if any one of the three have done so. Cary has chosen to respond in the affirmative to this question and those following if it knows of any one of the levels having a 'Law', or believes it to 'regulate' or to have a 'provision' ('regulate' and 'provision' being terms found in later questions).

Cary has relied on information about Laws Regulations or Policy, and about whether a unit 'regulates' or has a 'provision' known to us at the time of this response, and without additional research. If Cary becomes aware of other Laws, Regulations or Policy, or 'regulating' or having a 'provision' or of changes to existing Laws, Regulations or 'regulating' or having a provision, we will supplement this response.

Three definitions are provided. Several terms, like 'regulate' 'host institution' and 'institutional property are found in later questions and are not defined. For all responses, Cary relates the question to Cary's Facilities and Events at Cary Facilities.

3. Does your city, county/parish and/or state regulate choice of bathrooms or locker rooms that may affect student-athletes, coaches, administrators, or game officials during the Event?

X YES NO

North Carolina S.L 2016-3, also known as HB2, requires 'public agencies' to designate multiple occupancy bathrooms and changing facilities for, and to require they be used by, persons based on their biological sex. The sections of HB2 that relate to this requirement are sometimes called HB2 Bathroom Provisions. Cary meets the definition of 'public agency' under HB2 and is therefore regulated by HB2. The proposed Facilities in Cary are owned and operated by Cary.

It is important to note that HB2 does permit accommodations. Under HB2, Cary may provide single occupancy bathroom or changing facilities for any person, including transgender persons. Cary currently provides single-person unisex bathroom and changing facilities at each of its Facilities. These bathroom and changing facilities will be available to all athletes, coaches and event personnel. Further, Cary will make single-person unisex bathroom facilities available to other staff and fans or other spectators.

This is how Cary will provide HB2 consistent accommodations:

• For the championships hosted at WakeMed Soccer Park, there are 4 locker rooms available for the 4 teams participating in the championship that will used at the discretion of the NCAA and respective schools. There is also a single occupancy restroom and shower in close proximity to the 4 locker rooms that can be utilized by a student athlete that desires more privacy. There are also 2 public single occupancy restrooms in the stadium for the fans and event staff.

As discussed below, HB2 does not regulate the private sector.

We hope this demonstrates how Cary will provide at Facilities an environment that is safe, healthy, and free of discrimination while safeguarding the dignity of everyone involved in Events.

4. Does your city, county-parish and/or state regulate choice of bathrooms that may affect fans attending the Event?

Name of Bidding Entity:	Cary & Ca	ampbell
CITIES: <u>Car</u>	y, NC	
XY	ES	NO

As discussed in answer 3 above, HB2 requires 'public agencies' to designate multiple occupancy bathrooms and changing facilities for, and to require they be used by, persons based on their biological sex. Cary, as a public agency, is subject to HB2. As also discussed in Answer 3 above, Cary will provide single-person unisex bathroom facilities for fans at Events. HB2 does not purport to regulate bathroom choice in the private sector, and we are aware of no Law, Regulation or Policy applicable in Cary that otherwise regulates choice of bathrooms that might affect fans attending any Event.

This is how Cary will provide HB2 consistent accommodations:

- For the championships hosted at WakeMed Soccer Park, there are 4 locker rooms available for the 4 teams participating in the championship that will used at the discretion of the NCAA and respective schools. There is also a single occupancy restroom and shower in close proximity to the 4 locker rooms that can be utilized by a student athlete that desires more privacy. There are also 2 public single occupancy restrooms in the stadium for the fans and event staff.
- 5. Does your city, county/parish and/or state have provisions that allow for refusal of accommodations or service to any person?

YES	X	NC

Cary is not aware of any Law, Regulation or Policy that allows for refusal of accommodations or service to any person. SL 2015-75 permits magistrates and others to recuse themselves from performing marriages based on sincerely head religious objections. However, if all magistrates in a jurisdiction avail themselves of such recusal right, the Administrative Office of the Courts must ensure that a magistrate is available and until such designation is made, the Chief district court judge is deemed a magistrate for the purpose of performing marriages. Note that HB2 includes Section 3.3, which amends Chapter 143 of the North Carolina General Statutes to add Article 49B "Equal Access to Public Accommodations."

6. If the Event is planned to be held on institutional/campus property, does your institution have provisions that interfere with any person's choice of bathroom or locker room?

YES X NO

Cary intends to hold Event(s) at its own Facilities. Other than designating multiple occupancy bathrooms and changing facilities for 'men' or 'women' pursuant to state law, Cary does not have 'provisions that interfere with any person's choice of bathroom or locker room.'

7. If the Event is planned to be held on institutional/campus property, does your institution have provisions that allow for refusal of accommodation or service to any

	Name of Bidding Entity: <u>Cary &amp; Campbell</u>
	CITIES: Cary, NC
	person?
	YES X NO
	intends to hold Event(s) at its own Facilities. Cary does not have 'provisions that allow efusal of accommodation or service to any person.'
8.	Does your host institution(s) hold a Title IX waiver for religious accommodations or
	have you applied to Office of Civil Rights for such a waiver?

YES

- 9. Please provide the following:
  - a. A copy of each applicable Law, Regulation, or Policy which could interfere with a non-discriminatory NCAA Championships experience for any person and provide complete copies as an attachment. See HB2 attached.

X NO

Cary does not believe any Law, Regulation, or Policy will interfere with a non-discriminatory NCAA Championships experience for any person, particularly in light of HB2's provision for 'accommodations.' Cary is willing to consider other proposed accommodations and other legal means to assure that an environment that is safe, healthy, and free of discrimination and that safeguards the dignity of everyone involved in the event is provided.

- b. Please provide a summary of each Law, Regulation, or Policy referenced above, including:
  - i. Type of Law, Regulation or Policy (e.g., state, county/parish, city, institutional).

HB2 is a statute adopted by North Carolina's General Assembly that, among other things, establishes a policy of single sex multi-occupancy bathrooms and changing facilities for 'public agencies.' As stated by Jeff Welty at the University of North Carolina School of Government:

The objective of [HB2] appears to be to establish a policy that, for multiple occupancy bathrooms run by government entities, a transgendered person whose birth certificate does not match his or her gender identity should use the bathroom designated for the sex listed on his or her birth certificate.

HB2 permits certain accommodations and has several exceptions, including an exception for some minors and those requiring assistance and for the temporary designation of bathrooms and changing facilities.

HB2 does not regulate the private sector. HB2 does not contain an enforcement mechanism

and contains no criminal penalties. Further, HB2 does not, by its terms, appear to govern the use of bathrooms by individuals. Cary has not adopted any Law, Regulation or Policy implementing HB2. Cary is not aware of a mechanism by which HB2 might be lawfully enforced against an individual not using the bathroom of a public agency that matches the sex listed on their birth certificate.

As discussed above, HB2 has an exception for the temporary designation of a bathroom or changing facility. Should it be determined that it gives Cary additional authority regarding bathroom and changing facility designations, Cary will endeavor to use that authority in support of NCAA policy.

As you will note, HB2 also creates a new Article 49B entitled 'Equal Access to Public Accommodations.' This Article states that it is the policy of the State of North Carolina to protect the right of all individuals to enjoy 'fully and equally' public accommodations free of discrimination because of, among other things, a person's 'biological sex.'

> To what types of properties does it apply (e.g., public property, ii. campus property)?

HB2 applies to 'public agencies.' HB2 defines public agencies to include agencies of the executive, legislative and judicial branch, schools and political subdivisions of the State of North Carolina, of which Cary is one. The requirements of HB2 are imposed on the public agency and not on any particular facility or individual.

iii.	Does it override NCAA Championship and Event policies and operation at Event Facilities?				
	☐ YES <b>X</b>	NO			
1		C 1 (1.1; HD2 :11			

While HB2 regulates Cary, for the reasons discussed above, Cary does not believe HB2 will 'override' policies and operations at Event Facilities, particularly because accommodations are permitted under HB2. Cary firmly aligns itself with the NCAA Championship and Event policies, and itself wants to assure that the dignity of all persons involved with Events is safeguarded and that the Event and Facilities are safe, healthy and free of discrimination.

A copy of a letter dated May 6, 2016 from Mayor Harold Weinbrecht, Jr. to Mr. Mark Lewis is attached a all.

rticulates Cary's principals of	non-discrimination and equal protection for
V 1	t out of providing accommodations or services he criteria? What services or accommodations
YES	X NO
	May persons or businesses op to any person? If so, what is t may opt out?

As to Cary Events and Facilities, Cary will, consistent with all laws, assure that any person or business providing accommodations or services at Facility will not be allowed to opt out.

v. What legal recourse does a person discriminated against have under your Law, Regulation, or Policy?

Nothing under Cary Law, Regulations, or Policy would preclude any person from bringing a legal action, including a lawsuit, based on applicable state or federal laws. Under the HB2 public accommodation provisions, the State Human Relations Commission in the Department of Administration is vested with authority to receive, investigate and conciliate complaints of discrimination in public accommodations. Otherwise, a person could bring a claim under applicable state and federal law.

10. In light of the Laws, Regulations, or Policies applicable to the locations that seek to host NCAA Championships, how would you provide an environment that is safe, healthy, and free of discrimination, plus safeguards the dignity of everyone involved with the Event? As part of your answer, please provide specific references to prior, hosted events or other tangible examples.

To protect and advance the NCAA anti-discrimination policy, Cary commits to use the HB2 accommodation provision to provide single-person unisex bathroom and changing facilities at each Facility for athletes and coaches and to provide single-person unisex bathroom facilities for fans and spectators. With this, all persons will have available to them a bathroom or locker/changing room, regardless of their gender identity. Cary will also continue to explore other legal means to provide these assurances to the NCAA.

If required by the NCAA, Cary welcomes the opportunity to explore the details and expectations associated with our potentially having "ambassadors" available and at Facilities to address questions and concerns from NCAA athletes, coaches, and fans; and to ensure that the Event environment is safe, healthy and free of discrimination, and to safeguard the dignity of all athletes, coaches, fans, administrators and officials.

The owners and operators of Facilities located in North Carolina have successfully hosted more than 100 NCAA Championship Events over the last 40 years. Of this number, Cary and its respective Host Institutions have hosted 24 NCAA Championships. Cary is not aware of a single instance where the environment was not safe, healthy and free of discrimination and protective of the dignity of all. Based on the answers above, we hope we have made clear that HB2 will have no negative impact on this success continuing into the future.

#### 11. Other comments.

As an NCAA Championship City, the Town of Cary and its elected officials want to assure NCAA that Cary is a welcoming community that is dedicated to the principles of non-

discrimination and equal protection for all. A copy of Cary's Mayor's letter articulating this commitment is attached.

Cary is a warm, friendly, and thriving community with a flourishing economy and a strong job market. As the 7th largest municipality in the State of North Carolina, Cary embraces the gifts, talents, and experiences of those in our community and those who participate in or experience our Events. It is through mutual respect and understanding that Cary and others can reach our full potential. Cary's respect and understanding is evident by the ongoing success of large scale sporting events that Cary has been hosting since 2004.

Cary recognizes and embraces the diversity in and of our country and provides for that at each of Cary venues. Cary hopes it is clear that the bathroom provisions of HB2 will not impact Cary's ability to provide an environment that is safe, healthy, and free of discrimination and one that safeguards the dignity of everyone involved in an Event. All NCAA Championship student-athletes, coaches, administrators, game officials, fans and other attendees will be free to enjoy such an environment.

Although Campbell University will be the official Host Institution for the NCAA Division I Soccer and Lacrosse Championships, the Town of Cary is the primary host and the entire Event will take place in a Town of Cary Facility. Therefore, the response to this questionnaire has been prepared by the Town of Cary.

We affirm that the information provided is accurate and truthful.

<u>Iost institution:</u>
obert L. Roller, Director of Athletics, Campbell University oug McRainey, Director Parks, Recreation & Cultural Resources, Town of Cary
Other Hosting Entities:
Host Legal Representative:
s to form only:
obert C. Cogswell, University Counsel, Campbell University nristine Simpson, representing Town of Cary
Date:
ugust 12, 2016

# IMPACT STATEMENT OF NCAA CORE VALUES RELATED TO STUDENT-ATHLETE WELL-BEING AND CHAMPIONSHIPS EXPERIENCE

Source/Date: April 2016.

On Wednesday, April 27, 2016, the Board of Governors of the National Collegiate Athletic Association (NCAA) approved the following impact statement.

As an integral component of the higher education mission of our members, our Association strives to enhance the sense of community and strengthen the identity of a diverse membership. There are many challenges in today's intercollegiate athletics environment. And we are faced continuously with evolving social dynamics that require us to adjust in an appropriate and effective manner. This Impact Statement calls on the membership, the national office staff and communities to ensure that NCAA events are conducted in a manner consistent with the Association's core values.

Accordingly, today we, the NCAA Board of Governors, reaffirm that it is the policy of the NCAA to conduct events that protect the student-athlete well-being and safeguard the experience of our students, fans and campus communities alike. To that end, we expect that in awarding contracts to host events, the selection process will include as one of many criteria that each bidder must provide a statement certifying its ability to deliver and maintain an environment that is safe, healthy and free of discrimination and respects the dignity of all persons. Furthermore, we are directing the NCAA staff to inquire of all sites, which includes presently awarded predetermined sites and/or non-predetermined sites, as to how they intend on assuring its ability to deliver and maintain an environment that is safe, healthy and free of discrimination and respects the dignity of all persons.

Staff is directed to provide a full report on new selection criteria, procedures and the status of currently awarded sites to the Governors Ad Hoc Committee on Cultural Diversity and Equity by June 15, 2016. Full implementation is expected during the current bidding process.

NCAA events covered by this impact statement as well as resulting certification requirements and the implementing selection procedures or guidelines include, but are not limited to:

- NCAA National Convention
- NCAA Championship sessions, series and final events
- NCAA Regional Compliance Seminars
- NCAA summits and conferences
- NCAA Association-wide and divisional committee meetings
- Other events where the Association is a lead, primary or co-host or sponsor.

We must and we shall operate our championships and events in alignment with our values as we strive to promote an inclusive atmosphere in which student-athletes participate, coaches and administrators lead and fans engage.



TOWN of CARY

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316 North Academy Street
Cary, NC 27512-8005
tel: 919-469-4011
fax: 919-460-4910
www.townofcary.org

May 6, 2016

Mark Lewis, Executive Vice President of Championships and Alliances NCAA 700 W. Washington Street Indianapolis, Indiana 46206-6222

Dear Mr. Lewis:

On behalf of the Cary Town Council and the 156,000 people who call Cary home, I wanted to reach out to you regarding the Division II Baseball National Championship in Cary, NC, in light of recent actions taken by North Carolina's state government. Over the past decade, Cary has been host to over 54 collegiate conference and national championships, including 11 Men's & Women's College Cups and 6 DII Baseball College Championships.

Let me personally assure you that Cary is a welcoming community dedicated to the principles of non-discrimination and equal protection for all. We embrace the gifts, talents, and experiences each person has to offer, and we believe it's through mutual respect and understanding that we can reach our full potential.

The USA Baseball National Training Complex is a Town owned and managed facility, and we are committed to creating a welcoming and non-discriminating environment as we have over the many years that we have hosted the baseball championships. With our partners like the Greater Raleigh CVB, University of Mount Olive, NCAA staff and the Baseball Committee we are confident that we can continue to make this a signature event for the student-athletes.

Groups like yours choose to come to Cary because you know that you'll not only find facilities that are second-to-none, but also, and even more importantly, you'll find the highest level of hospitality and customer service for you, your student-athletes, and your fans. We know that for many, the journey to Cary is an experience of a lifetime, and we work hard to never disappoint.

So whether you've been to Cary in the past or are looking forward to your very first time, I know you'll join me in finding that Cary continues to be a great place to live, work, play, raise a family and do business. If you have questions we can answer or issues we can assist with, don't hesitate to contact staff here at Town Hall. We look forward to seeing you in Cary soon.

Sincerely,

Harold Weinbrecht, Jr.

Land Wan

Mayor

#### Article 81.

Single-Sex Multiple Occupancy Bathroom and Changing Facilities.

### § 143-760. Single-sex multiple occupancy bathroom and changing facilities.

- (a) Definitions. The following definitions apply in this section:
  - (1) Biological sex. The physical condition of being male or female, which is stated on a person's birth certificate.
  - (2) Executive branch agency. Agencies, boards, offices, departments, and institutions of the executive branch, including The University of North Carolina and the North Carolina Community College System.
  - (3) Multiple occupancy bathroom or changing facility. A facility designed or designated to be used by more than one person at a time where persons may be in various states of undress in the presence of other persons. A multiple occupancy bathroom or changing facility may include, but is not limited to, a restroom, locker room, changing room, or shower room.
  - (4) Public agency. Includes any of the following:
    - a. Executive branch agencies.
    - b. All agencies, boards, offices, and departments under the direction and control of a member of the Council of State.
    - c. "Unit" as defined in G.S. 159-7(b)(15).
    - d. "Public authority" as defined in G.S. 159-7(b)(10).
    - e. A local board of education.
    - f. The judicial branch.
    - g. The legislative branch.
    - h. Any other political subdivision of the State.
  - (5) Single occupancy bathroom or changing facility. A facility designed or designated to be used by only one person at a time where persons may be in various states of undress. A single occupancy bathroom or changing facility may include, but is not limited to, a single stall restroom designated as unisex or for use based on biological sex.
- (b) Single-Sex Multiple Occupancy Bathroom and Changing Facilities. Public agencies shall require every multiple occupancy bathroom or changing facility to be designated for and only used by persons based on their biological sex.
- (c) Accommodations Permitted. Nothing in this section shall prohibit public agencies from providing accommodations such as single occupancy bathroom or changing facilities upon a person's request due to special circumstances, but in no event shall that accommodation result in the public agency allowing a person to use a multiple occupancy bathroom or changing facility designated under subsection (b) of this section for a sex other than the person's biological sex.
- (d) Exceptions. This section does not apply to persons entering a multiple occupancy bathroom or changing facility designated for use by the opposite sex:
  - (1) For custodial purposes.
  - (2) For maintenance or inspection purposes.
  - (3) To render medical assistance.
  - (4) To accompany a person needing assistance.
  - (5) For a minor under the age of seven who accompanies a person caring for that minor.

(6)	That has been temporarily designated for use by that person's biological sex. (2016-3, 2nd Ex Sess., s. 1.3.)

### GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2015

### SESSION LAW 2016-99 HOUSE BILL 169

#### AN ACT TO RESTORE THE STATE TORT CLAIM FOR WRONGFUL DISCHARGE.

The General Assembly of North Carolina enacts:

#### **SECTION 1.(a)** G.S. 143-422.3 reads as rewritten:

### "§ 143-422.3. Investigations; conciliations.

The Human Relations Commission in the Department of Administration shall have the authority to receive charges of discrimination from the Equal Employment Opportunity Commission pursuant to an agreement under Section 709(b) of Public Law 88-352, as amended by Public Law 92-261, and investigate and conciliate charges of discrimination. Throughout this process, the agency shall use its good offices to effect an amicable resolution of the charges of discrimination. This Article does not create, and shall not be construed to create or support, a statutory or common law private right of action, and no person may bring any civil action based upon the public policy expressed herein."

**SECTION 1.(b)** This section is effective March 23, 2016.

**SECTION 2.** G.S. 1-54 is amended by adding a new subdivision to read:

### "§ 1-54. One year.

Within one year an action or proceeding -

- (1) Repealed by Session Laws 1975, c. 252, s. 5.
- (2) Upon a statute, for a penalty or forfeiture, where the action is given to the State alone, or in whole or in part to the party aggrieved, or to a common informer, except where the statute imposing it prescribes a different limitation.
- (3) For libel and slander.
- (4) Against a public officer, for the escape of a prisoner arrested or imprisoned on civil process.
- (5) For the year's allowance of a surviving spouse or children.
- (6) For a deficiency judgment on any debt, promissory note, bond or other evidence of indebtedness after the foreclosure of a mortgage or deed of trust on real estate securing such debt, promissory note, bond or other evidence of indebtedness, which period of limitation above prescribed commences with the date of the delivery of the deed pursuant to the foreclosure sale: Provided, however, that if an action on the debt, note, bond or other evidence of indebtedness secured would be earlier barred by the expiration of the remainder of any other period of limitation prescribed by this subchapter, that limitation shall govern.
- (7) Repealed by Session Laws 1971, c. 939, s. 2.
- (7a) For recovery of damages under Article 1A of Chapter 18B of the General Statutes.
- (8) As provided in G.S. 105-377, to contest the validity of title to real property acquired in any tax foreclosure action or to reopen or set aside the judgment in any tax foreclosure action.
- (9) As provided in Article 14 of Chapter 126 of the General Statutes, entitled "Protection for Reporting Improper Government Activities".
- (10) Actions contesting the validity of any zoning or unified development ordinance or any provision thereof adopted under Part 3 of Article 18 of Chapter 153A or Part 3 of Article 19 of Chapter 160A of the General Statutes or other applicable law, other than an ordinance adopting or



amending a zoning map or approving a special use, conditional use, or conditional zoning district rezoning request. Such an action accrues when the party bringing such action first has standing to challenge the ordinance; provided that, a challenge to an ordinance on the basis of an alleged defect in the adoption process shall be brought within three years after the adoption of the ordinance.

- (11) No suit, action, or proceeding under G.S. 14-190.5A(g) shall be brought or maintained against any person unless such suit, action, or proceeding is commenced within one year after the initial discovery of the disclosure, but in no event may the action be commenced more than seven years from the most recent disclosure of the private image.
- (12) For wrongful discharge in violation of the public policy set forth in G.S. 143-422.2."

SECTION 3. Except as otherwise provided, this act is effective when it becomes

law.

In the General Assembly read three times and ratified this the 1<sup>st</sup> day of July, 2016.

- s/ Louis M. Pate, Jr. Presiding Officer of the Senate
- s/ Tim Moore Speaker of the House of Representatives
- s/ Pat McCrory Governor

Approved 2:00 p.m. this 18th day of July, 2016

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