

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS15082-MH-48B

Short Title: Protect Private Property Rights.-AB (Public)

Sponsors: Senators Rabon, McInnis, and Britt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REVISE THE LAWS PERTAINING TO TRESPASS UPON PROPERTY TO
3 HUNT, FISH, OR TRAP, AS RECOMMENDED BY THE WILDLIFE RESOURCES
4 COMMISSION.

5 The General Assembly of North Carolina enacts:

6 SECTION 1.(a) The title of Article 22A of Chapter 14 of the General Statutes reads
7 as rewritten:

8 "Trespassing Upon "Posted" and "Unposted" Property to Hunt, Fish, Trap, or Remove Pine
9 Needles/Straw."

10 SECTION 1.(b) G.S. 14-159.6 reads as rewritten:

11 "§ 14-159.6. Trespass for purposes of hunting, etc., without written consent a
12 misdemeanor; defense.

13 (a) Any person who willfully goes on the land, waters, ponds, or a legally established
14 waterfowl blind of another that has been posted in accordance with the provisions of
15 G.S. 14-159.7, to access public trust waters from land, hunt, fish or trap without written
16 permission of the landowner, lessee, or his agent shall be the property owner or a lessee or agent
17 of the property owner is guilty of a Class 2 misdemeanor. ~~Written permission shall be carried on~~
18 one's person, signed by the landowner, lessee, or agent, and dated within the last 12 months. The
19 written permission shall be displayed upon request of any law enforcement officer of the Wildlife
20 Resources Commission, sheriff or deputy sheriff, or other law enforcement officer with general
21 subject matter jurisdiction. A person shall have written permission for purposes of this section if
22 a landowner, lessee, or agent has granted permission to a club to hunt, fish, or trap on the land
23 and the person is carrying both a current membership card demonstrating the person's
24 membership in the club and a copy of written permission granted to the club that complies with
25 the requirements of this section.

26 (a1) Any person who willfully goes on the land, waters, ponds, or a legally established
27 waterfowl blind of another that is not posted in accordance with the provisions of G.S. 14-159.7
28 to access public trust waters from land, hunt, fish, or trap without written permission from the
29 property owner or a lessee or agent of the property owner is guilty of a Class 3 misdemeanor.

30 (b) Any person who willfully goes on the land of another that has been posted in
31 accordance with the provisions of G.S. 14-159.7(1), to rake or remove pine needles or pine straw
32 without the written consent permission of the owner or his the owner's agent shall be guilty of a
33 Class 1 misdemeanor.

34 (b1) For purposes of demonstrating compliance with subsections (a), (a1), and (b) of this
35 section, written permission must be (i) carried on one's person, signed by the landowner, lessee,
36 or agent, and dated within the last 12 months and (ii) displayed upon request of any law



1 enforcement officer of the Wildlife Resources Commission, sheriff or deputy sheriff, or other
 2 law enforcement officer with general subject matter jurisdiction. A person shall also be
 3 considered to have written permission for purposes of this section if a landowner, lessee, or agent
 4 has granted permission to a club to access public trust waters, hunt, fish, or trap on the land and
 5 the person is carrying both a current membership card demonstrating the person's membership in
 6 the club and a copy of written permission granted to the club that complies with the applicable
 7 requirements of this subsection.

8 (c) It is an affirmative defense to a prosecution under subsection ~~(a) or (b)~~ (a), (a1), or
 9 (b) of this section that the person had in fact obtained prior written permission of the owner,
 10 lessee, or agent as required by those subsections but did not have on his or her person valid
 11 written permission at the time of citation or arrest."

12 **SECTION 2.** G.S. 113-276.3 reads as rewritten:

13 **"§ 113-276.3. Mandatory suspension of entitlement to license or permit for fixed period**
 14 **upon conviction of specified offenses.**

15 (a) Upon conviction of a suspension offense under this section, the defendant's
 16 entitlement to any license or permit applicable to the type of activity the defendant was engaging
 17 in that resulted in the conviction is suspended for the period stated in subsection (d) or (f) of this
 18 section. The period of suspension begins:

- 19 (1) Upon the surrender to an authorized agent of the Wildlife Resources
 20 Commission of all applicable licenses and permits; or
- 21 (2) If no licenses or permits are possessed, the defendant fails or refuses to
 22 surrender all licenses or permits, or any license or permit is lost or destroyed,
 23 upon the Executive Director's placing in the mail the notification required by
 24 subsection (c).

25 ...

26 (d) Any violation of this Subchapter or of any rule adopted by the Wildlife Resources
 27 Commission under the authority of this Subchapter which is subject to a penalty greater than the
 28 one provided in G.S. 113-135(a)(1) is a suspension ~~offense.~~ offense with a conviction resulting
 29 in a suspension for a period of one year. Conviction of any of the following suspension offenses
 30 results in a suspension for a period of two years:

- 31 (1) A violation of G.S. 113-294(b).
- 32 (2) A violation of G.S. 113-294(c).
- 33 (2a) A violation of G.S. 113-294(c1).
- 34 (3) A violation of G.S. 113-294(e).
- 35 (4) Repealed by Session Laws 1999-120, s. 2, effective October 1, 1999.
- 36 (5) A violation of G.S. 113-291.1A.
- 37 (6) A ~~third or subsequent~~ violation of G.S. 14-159.6(a).

38 ~~A conviction of any other suspension offense results in a suspension for a period of one year.~~

39 (e) Unless otherwise provided in the judgment, any action by a court under G.S. 113-277
 40 to suspend entitlement to a license or permit or to suspend or revoke a license or permit
 41 supersedes any suspension of entitlement to a license or permit mandated by this section. If the
 42 judgment of the court after a conviction for suspension offense does not include any suspension
 43 or revocation action, the provisions of this section apply.

44 (f) Conviction of a second violation of G.S. 113-294(s) results in a suspension for a
 45 period of one year. Conviction of a third violation of G.S. 113-294(s) results in a permanent
 46 revocation."

47 **SECTION 3.** G.S. 113-294 reads as rewritten:

48 **"§ 113-294. Specific violations.**

49 ...

1 (d) Any person who unlawfully takes, possesses, or transports any deer is guilty of a Class
2 3 misdemeanor, punishable by a fine of not less than two hundred fifty dollars (\$250.00) in
3 addition to such other punishment prescribed for the offense in question.

4 (d1) ~~Any person who unlawfully takes, possesses, or transports any deer from land that~~
5 ~~has been posted in accordance with the provisions of G.S. 14-159.7 without written permission~~
6 ~~of the landowner, lessee, or the agent of the landowner or lessee violates any provision of~~
7 G.S. 14-159.6(a) is guilty of a Class 2 misdemeanor, punishable by a fine of not less than five
8 hundred dollars (\$500.00).one thousand dollars (\$1,000).

9 (d2) Any person who violates any provision of G.S. 14-159.6(a1) a second or subsequent
10 time within a three-year period is guilty of a Class 2 misdemeanor.

11 (e) Any person who unlawfully takes deer between a half hour after sunset and a half
12 hour before sunrise with the aid of an artificial light is guilty of a Class 2 misdemeanor,
13 punishable by a fine of not less than five hundred dollars (\$500.00) in addition to such other
14 punishment prescribed for the offense in question.

15"

16 **SECTION 4.** Article 36 of Chapter 14 of the General Statutes is amended by adding
17 a new section to read:

18 **"§ 14-280.4. Launching watercraft from right-of-way.**

19 Any person who willfully launches any motorized or unmotorized watercraft from the
20 right-of-way of a public highway or street into a body of water adjacent to the right-of-way,
21 except in public areas designated for boating access, is guilty of a Class 3 misdemeanor."

22 **SECTION 5.** This act becomes effective October 1, 2025, and applies to offenses
23 committed on or after that date.