

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE BILL 460

Short Title: Rockingham/Trespassing on Private Land. (Local)

Sponsors: Representative Jones (Primary Sponsor).
 For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Agriculture.

March 24, 2011

A BILL TO BE ENTITLED
AN ACT TO REGULATE HUNTING, FISHING, AND TRAPPING ON PRIVATE LAND IN
ROCKINGHAM COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. It is unlawful to enter upon private lands of another to hunt, fish, or trap with a firearm, crossbow, bow and arrow, or fishing or trapping equipment, or to possess such items upon the lands of another, without the permission of the owner or lessee of that land, as provided in this act. For land posted in accordance with the provisions of this act or G.S. 14-159.7, written permission is required in the form described in this act. For nonposted lands, verbal permission is required.

SECTION 2. The written permission required by this act shall state the date the permission is given, the person to whom the permission is given, and the owner or lessee of the land, and such written permission shall not be valid for a period in excess of one year but may be valid for any shorter period stated in the permission.

SECTION 3. The written permission required by this act shall be carried on the person at all times when the person enters the property of another to hunt, fish, or trap, or with the intent to hunt, fish, or trap. The written permission shall be displayed upon request to any law enforcement officer authorized to enforce this act.

SECTION 4. If written permission to hunt is given to a hunt club by the owner or the lessee of land, each member of the hunt club shall carry a copy of the written permission along with a certification from the hunt club designating the person to be a member of that hunt club. Such written permission shall not be valid for a period in excess of one year but may be valid for any shorter period stated in the permission.

SECTION 5. Valid written permission under Sections 2 through 4 of this act may include permission to a named individual and a specified number of guests of that individual. Written permission is not required for the spouse and children of the owner or lessee of the land.

SECTION 6. Landowners may, but are not required to, post their property by the methods specified in G.S. 14-159.7, or by placing identifying aluminum reflective paint marks on trees or posts at each road entrance and at such intervals as may be readily visible to persons approaching the property. If paint marks are used, those paint marks shall be at least two inches in width and eight inches in length and the center of the mark shall be from three to six feet from the ground.



1 **SECTION 7.** No person shall mutilate, destroy, or take down any "posted," "no
2 hunting," or similar sign on the lands or waters of another without the consent of the landowner
3 or lessee, and violations are punishable under G.S. 14-159.8.

4 **SECTION 8.** Violation of this act as to posted land is a Class 3 misdemeanor and
5 is punishable for a first offense by a fine of not more than two hundred fifty dollars (\$250.00)
6 and for a second or subsequent offense by a fine of not more than two hundred fifty dollars
7 (\$250.00) or by imprisonment for 30 days, or both. Violation of this act as to nonposted land is
8 a Class 3 misdemeanor and is punishable for a first offense by a fine of not more than one
9 hundred twenty-five dollars (\$125.00) and for a second or subsequent offense by a fine of not
10 more than one hundred twenty-five dollars (\$125.00) or by imprisonment not exceeding 30
11 days, or both.

12 **SECTION 9.** It is not a violation of this act for a hunter to retrieve a hunting dog
13 that has strayed upon land that the hunter does not possess permission to hunt on, so long as the
14 hunter does not enter the property with a firearm or other hunting weapon. This section does
15 not excuse repeated instances of dog retrieval without permission of the landowner.

16 **SECTION 10.** This act is enforceable by law enforcement officers of the Wildlife
17 Resources Commission, by sheriffs and deputy sheriffs, and by other law enforcement officers
18 with general subject matter jurisdiction.

19 **SECTION 11.** This act applies only to Rockingham County.

20 **SECTION 12.** This act becomes effective October 1, 2011, and applies to offenses
21 committed on or after that date.