

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 1999-301
SENATE BILL 302

AN ACT TO REGULATE HUNTING IN LEE AND RUTHERFORD COUNTIES AND TO ESTABLISH SEASONS FOR HUNTING FOXES WITH WEAPONS AND WITH TRAPS IN CHOWAN COUNTY AND TO PROHIBIT DEER HUNTING IN MOORE COUNTY WITHOUT THE WRITTEN PERMISSION OF THE LANDOWNER, TO PROHIBIT DEER HUNTING FROM THE RIGHT-OF-WAY OF A PUBLIC ROAD IN MOORE COUNTY, AND TO REQUIRE OWNER IDENTIFICATION ON DOGS USED TO HUNT DEER IN MOORE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. It is unlawful for any person to hunt with a firearm, bow and arrow or crossbow, or other deadly weapon while on the land of another unless the person is a spouse, child, or grandchild of the landowner or has on his person a paper writing dated and signed by the owner or lessee of the land granting the person permission to hunt with a firearm, bow and arrow, crossbow, or other deadly weapon while on the land. If the land is owned by or leased to a club, the permission shall be signed by the club president or other chief executive. If the land is owned by or leased to a corporation, the permission shall be signed by the president or the vice-president of the corporation or the authorized designee of the president or vice-president. Permission shall not be valid for a period of more than one year, but may be valid for any shorter period stated in the permission. The written permission shall be displayed upon request to any law enforcement officer authorized to enforce this section.

Section 2. It is unlawful to hunt, take, or kill with a firearm, bow and arrow, crossbow, or other deadly weapon or to attempt to hunt, take, or kill with any such weapon any wild animal or wild bird on, from, or across the right-of-way of any public road, street, highway, or thoroughfare.

Section 3. It is unlawful to discharge a firearm from, onto, across, or down the right-of-way of any public road, street, highway, or thoroughfare. This section shall not apply to law enforcement officers who discharge their firearms in the lawful discharge of their duties.

Section 4. Violation of the provisions of Sections 1 through 3 of this act is punishable as a Class 3 misdemeanor. Notwithstanding the provisions of G.S. 15A-1340.23, violation of those sections is punishable by a fine of up to three hundred dollars (\$300.00).

Section 5. This act is enforceable by law enforcement officers of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by other peace officers with general subject matter jurisdiction.

Section 6. Section 5 of Chapter 128 of the 1989 Session Laws reads as rewritten:

"Section 5. This act applies only to ~~Gates County~~ and Chowan Counties."

Section 6.1.(a) It is unlawful to hunt deer on the land of another unless the hunter has, on the hunter's person, a written permission signed and dated by the owner or lessee of the land granting the hunter permission to hunt deer on that land. If the land is owned or leased by a club, the president of the club shall issue the permission to club members to hunt deer. Unless otherwise specified in the writing, the written permission shall be valid for one year from the date of the permission. The written permission shall be displayed upon request to any law enforcement officer with the authority to enforce this section.

Section 6.1.(b) It is unlawful to hunt, take, or kill deer at any time on, from, or across the right-of-way of any public road or highway.

Section 6.1.(c) It is unlawful to hunt deer with the aid of dogs unless each dog bears a collar, tag, or other identification showing its owner's full name and address. It is unlawful for any person other than the dog's owner to remove an identification collar or tracking collar from a dog. The provisions of this section shall not apply to a landowner or the landowner's children while those persons are hunting deer on the landowner's property.

Section 6.1.(d) Violation of this section is a Class 3 misdemeanor. Notwithstanding the provisions of G.S. 15A-1340.23, violation of this section is punishable (i) upon a first conviction by a fine of not less than three hundred dollars (\$300.00) and not more than five hundred dollars (\$500.00), and (ii) upon a second or subsequent conviction by a fine of not less than five hundred dollars (\$500.00) and not more than seven hundred dollars (\$700.00), by imprisonment for up to 60 days, loss of the defendant's North Carolina hunting license, or all three, in the discretion of the court.

Section 6.1.(e) This section is enforceable by law enforcement officers of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by other peace officers with general subject matter jurisdiction.

Section 7. Sections 1 through 5 of this act apply only to Lee County and Rutherford County. Section 6 of this act applies only to Chowan County. Section 6.1 of this act applies only to Moore County.

Section 8. This act becomes effective October 1, 1999.

In the General Assembly read three times and ratified this the 15th day of July, 1999.

s/ Dennis A. Wicker
President of the Senate

s/ James B. Black
Speaker of the House of Representatives