

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1611
Committee Substitute Favorable 7/24/02
Senate State and Local Government Committee Substitute Adopted 10/2/02

Short Title: Transylvania and Harnett Hunting.

(Local)

Sponsors:

Referred to:

June 11, 2002

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC
ROADS IN TRANSYLVANIA COUNTY, TO REQUIRE PERMISSION BEFORE
HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY,
AND TO PROHIBIT HUNTING FROM PUBLIC ROADS IN HARNETT
COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. It is unlawful to hunt, take, or kill any wild animal or wild bird from, on, or across the right-of-way of a public road, street, highway, or other public vehicular area in Transylvania County. For purposes of this section, "right-of-way" refers to the road surface from shoulder to shoulder. This section does not apply to public vehicular areas located in the Pisgah, Nantahala, or Toxaway game lands outside of designated safety zones.

SECTION 2. It is unlawful to hunt on the land of another without having the permission of the landowner or lessee, or the landowner's or lessee's designee.

SECTION 3. A violation of Section 1 or 2 of this act is a Class 3 misdemeanor.

SECTION 4. Section 1 of S.L. 1997-103 reads as rewritten:

Section 1. It is unlawful to ~~hunt, take, or kill, with a firearm or other deadly weapon, or to attempt to hunt, take, or kill, with a firearm or other deadly weapon, any wild animal or wild bird~~ hunt with a loaded firearm on, from, or across the right-of-way of any public road, street, highway, ~~or thoroughfare.~~ thoroughfare or approved subdivision street. For purposes of this section, "loaded firearm" means a firearm with shells in the chamber, magazine, or clip.

It is prima facie evidence of a violation of this section to possess a loaded firearm outside of a vehicle on the roadway or right-of-way of a public road. It is not prima facie evidence of a violation of this section for a law enforcement officer to possess a

1 firearm or for any person to possess a pistol with a barrel less than five and one-half
2 inches."

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

6 **SECTION 6.** Sections 1, 2, and 3 of this act apply only to Transylvania
7 County.

8 **SECTION 7.** Section 4 of this act applies only to Harnett County.

9 **SECTION 8.** This act becomes effective November 1, 2002, and applies to
10 offenses committed on or after that date.