

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1430

Short Title: Obstructing Use of Boat Ramp.

(Public)

Sponsors: Representative Stiller.

Referred to: Wildlife Resources.

April 21, 2005

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE PENALTY FOR OBSTRUCTING A BOAT LAUNCHING
AREA.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113-135.1 reads as rewritten:

**"§ 113-135.1. Limitation upon penalty for offense created by rules of Wildlife
Resources Commission in certain instances.**

(a) To prevent unsuspecting members of the public from being subject to harsh
criminal penalties for offenses created by rules of the Wildlife Resources Commission,
the penalty for an offense which is solely a violation of rules of the Wildlife Resources
Commission is limited to a fine of ten dollars (\$10.00) except that offenses set out in
~~Section subsection~~ (b) of this section are punished as set forth in G.S. 113-135 or other
~~sections.~~ sections, and except that a person who violates a rule regulating the parking of
vehicles near boat launching areas or otherwise obstructing boat launching areas is
responsible for an infraction and shall pay a fine of ten dollars (\$10.00).

(b) The limitation upon penalty does not apply to any rule violation:

- (1) Punishable under G.S. 113-294 or otherwise involving aggravating
elements which result in a greater punishment than provided by
G.S. 113-135;
- (2) Which involves a defendant subject to the collection-license provisions
of G.S. 113-272.4 or who is a dealer as defined in G.S. 113-273; or
- (3) Relating to seasons, bag limits, creel limits, taking fish other than with
hook and line, buying or selling wildlife, possessing or transporting
live wildlife, taking wildlife at night or with the aid of a conveyance,
or falconry."

SECTION 2. This act becomes effective December 1, 2005.