

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 990  
Second Edition Engrossed 5/14/09

Short Title: Increase Penalty/Timber Theft. (Public)

Sponsors: Senators Davis; Apodaca, Bingham, Jenkins, Kinnaird, McKissick, Nesbitt, and Snow.

Referred to: Judiciary I.

March 26, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CUTTING, INJURING, OR  
3 REMOVING ANOTHER'S TIMBER RESULTING IN DAMAGES THAT EXCEED  
4 TWO THOUSAND FIVE HUNDRED DOLLARS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 14-135 reads as rewritten:

7 "**§ 14-135. Cutting, injuring, or removing another's timber.**

8 (a) If any person not being the bona fide owner thereof, shall knowingly and willfully  
9 cut down, injure or remove any standing, growing or fallen tree or ~~log~~, log off the property of  
10 another, he shall be guilty of a ~~Class 1 misdemeanor~~, criminal offense as follows:

11 (1) If the damage caused by a violation of this section is two thousand five  
12 hundred dollars (\$2,500) or less, then the offense is a Class 1 misdemeanor.

13 (2) If the damage caused by a violation of this section is more than two thousand  
14 five hundred dollars (\$2,500), then the offense is a Class I felony.

15 (b) Subsection (a) of this section shall not apply to a lessee of property who removes a  
16 fallen tree or log that poses an imminent threat to persons or property."

17 **SECTION 2.** This act becomes effective December 1, 2009, and applies to  
18 offenses committed on or after that date.

