

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2011**

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**SENATE BILL 238\***

Short Title: Richmond/Deer Hunting With Dogs. (Local)

Sponsors: Senator Purcell.

Referred to: State and Local Government.

March 8, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO REGULATE DEER HUNTING WITH DOGS IN RICHMOND COUNTY.  
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** Definitions. – The following definitions apply in this act:

- 5 (1) "Dog Deer Hunting Area" (DDHA) means an area meeting the following  
6 criteria and on which dog deer hunting is permissible. The area must be:  
7 a. At least 640 acres in area (one square mile), except that in the case of  
8 a person hunting on his or her own land, the area must be at least 250  
9 acres in area.  
10 b. One contiguous tract on which the hunting rights are owned, leased,  
11 or controlled by a hunting group. Several tracts of separate  
12 ownership may be combined by hunting groups to make up the  
13 minimum required size of the DDHA. Public roadways traversing a  
14 tract shall not divide the tract for purposes of this definition.  
15 c. Posted on all boundaries, entry routes, and roads as a Dog Deer  
16 Hunting Area.  
17 (2) "Dog Deer Hunting Area Permit" means an annual permit issued by  
18 Richmond County authorizing Dog Deer Hunting on a Dog Deer Hunting  
19 Area as defined in this section on an application form supplied by the  
20 Department that contains information sufficient to determine qualification  
21 and eligibility of the area as a Dog Deer Hunting Area.  
22 (3) "Dog Deer Hunting" or "Dog Deer Hunt" refers to activity in which a person  
23 (i) takes a stand on land or water, in or on a boat or vehicle of any  
24 description that is stopped on water or land, on a public or private road, or  
25 on any right-of-way, (ii) while in possession of a weapon capable of killing a  
26 deer, and (iii) while dogs belonging to, or under the control of, the person  
27 are present in the area as evidenced by sight or sound.  
28 (4) "While in possession of a weapon capable of killing a deer" does not apply  
29 when all weapons are unloaded and encased, disassembled, or stored in a  
30 vehicle, toolbox, trunk, or other compartment; and, if weapons are not stored  
31 as described, then they must be located at least 30 feet from ammunition  
32 capable of being used in the weapon in order for the term not to apply.

33 **SECTION 2.** Criteria. – The following criteria shall apply to hunters using the Dog  
34 Deer Hunting Area and to dogs used in the hunt:

- 35 (1) Every hunter, while hunting deer in the DDHA, shall carry written  
36 permission to hunt in the area or proof of membership to the group or club  
37 holding the dog deer hunting rights to the property.



- 1 (2) One or more of the hunters shall be designated as Hunt Master and shall be  
2 responsible for the hunting party's compliance with requirements of the Dog  
3 Deer Hunting Plan. The Hunt Master shall be knowledgeable of all the dog  
4 owners and handlers participating in the Dog Deer Hunt and be able to  
5 contact them during the hunt.
- 6 (3) Every dog used in the Dog Deer Hunt shall have a metal tag attached to its  
7 collar displaying the name, address, and telephone number of its owner or  
8 handler and the DDHA permit number.

9 **SECTION 3.** Prohibited Acts. – It is unlawful to do any of the following:

- 10 (1) Engage in Dog Deer Hunting with the use of dogs on land that does not  
11 qualify as a Dog Deer Hunting Area and for which a current and valid Dog  
12 Deer Hunting Area Permit has not been obtained.
- 13 (2) Use any dog to deer hunt on a Dog Deer Hunting Area that is not tagged as  
14 specified in this act.
- 15 (3) Hunt in a Dog Deer Hunting Area without carrying written permission or  
16 evidence of membership in the authorized hunting group or club.
- 17 (4) Hunt on, from, or across any public road or road right-of-way.
- 18 (5) Fail to stop a Dog Deer Hunt when any dog involved in the hunt crosses  
19 from the Dog Deer Hunting Area onto lands not registered as a Dog Deer  
20 Hunting Area. The Dog Deer Hunt may not continue in the designated Dog  
21 Deer Hunting Area until the errant dog has been retrieved. The requirement  
22 to stop the Dog Deer Hunt when one or more hunting dog crosses onto land  
23 not registered as a Dog Deer Hunting Area shall not apply if the Hunt Master  
24 or his designee and two other participants in the Dog Deer Hunt initiate a  
25 search for and an attempt to retrieve the errant dog or dogs, provided that the  
26 offended landowner may stop the hunt by reporting the trespass to the Hunt  
27 Master or to the Wildlife Resources Commission. The Hunt Master is  
28 responsible for compliance with every aspect of this requirement.
- 29 (6) Hunt on another's land without having, on the person, written permission  
30 signed and dated by the owner, lessee, or club president, if applicable.  
31 Permission is good for one year unless otherwise stated. Allowing a dog  
32 under one's ownership, possession, or control to run upon or across another's  
33 land without written permission constitutes hunting on that land and is  
34 subject to the requirement for written permission as set forth in this  
35 subsection.
- 36 (7) Kill, injure, steal, or harm in any way any dog used in a Dog Deer Hunt  
37 merely because the dog crossed from property registered as a Dog Deer  
38 Hunting Area to an area where written permission to hunt with dogs has not  
39 been obtained.
- 40 (8) Fraudulently or untruthfully report that a dog or hunter has infringed upon an  
41 area where written permission has not been obtained.

42 **SECTION 4.** Penalties. – Penalties for violation of the provisions of this act are as

43 follows:

- 44 (1) A violation of subdivision (1), (2), (3), (4), (6), (7), or (8) of Section 3 of this  
45 act is punishable as a Class 2 misdemeanor and punishable by a fine of not  
46 more than five hundred dollars (\$500.00), no part of which may be  
47 suspended, or imprisonment for not more than 30 days, or both. The court  
48 shall transmit the record of the conviction to the Wildlife Resources  
49 Commission for hunting license suspension pursuant to subdivision (2) of  
50 this subsection.

- 1 (2) In addition to any other penalties provided by law, a person convicted for  
2 more than two violations within a two-year period of any of the prohibited  
3 acts set forth in subdivision (1), (2), (3), (4), (6), (7), or (8) of Section 3 of  
4 this act shall have his or her hunting privileges suspended by the Wildlife  
5 Resources Commission, and the convicted person's hunting license shall  
6 remain suspended until the person successfully completes a hunter education  
7 class administered by the Commission.
- 8 (3) Upon the first violation of subdivision (5) of Section 3 of this act, a person  
9 may be given a written warning of violation pursuant to G.S. 113-140. Any  
10 subsequent violation of that subdivision is punishable as a Class 2  
11 misdemeanor and punishable by a fine of up to five hundred dollars  
12 (\$500.00). Violations of subdivision (5) of Section 3 of this act shall count  
13 toward the suspension of individual hunting licenses as set forth in  
14 subdivision (2) of this section and for suspension or cancellation of the Dog  
15 Deer Hunting Area Permits as set forth in subdivision (4) of this section.
- 16 (4) Any Dog Deer Hunting Area Permit shall be suspended or revoked by  
17 Richmond County upon more than two convictions for violations of the  
18 prohibited acts contained in Section 3 of this act within a two year period.  
19 The violations that count toward suspension or cancellation of a Dog Deer  
20 Hunting Area Permit shall include convictions for any of the prohibited acts  
21 contained in Section 3 of this act by any participant in any Dog Deer Hunts  
22 being conducted on the lands covered by the Dog Deer Hunting Permit. The  
23 term "participant" as used in this subdivision includes any and all Hunt  
24 Masters appointed by the club or group of hunters hunting on the Dog Deer  
25 Hunting Area. A Dog Deer Hunting Area shall not be eligible for  
26 reinstatement, reissuance, or renewal of a Dog Deer Hunting Area Permit for  
27 a period of at least one year from the date of revocation. The length of  
28 suspension of a Dog Deer Hunting Area Permit for multiple violations of  
29 this act shall be established by Richmond County.

30 **SECTION 5.** Enforcement. – This act is enforceable by law enforcement officers  
31 of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by peace officers  
32 with general subject matter jurisdiction.

33 **SECTION 6.** Application. – This act applies only to that portion of Richmond  
34 County in which deer hunting with dogs is not prohibited pursuant to Chapter 869 of the 1985  
35 Session Laws, as amended by Chapter 110 of the 1995 Session Laws.

36 **SECTION 7.** Effective Date. – This act becomes effective September 1, 2011, and  
37 applies to acts committed on or after that date.