

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

H

1

HOUSE BILL 1477

Short Title: Polk Hunting Safety.

(Local)

Sponsors: Representatives Jack Hunt, Lutz, and Withrow.

Referred to: Local and Regional Government II.

June 2, 1992

A BILL TO BE ENTITLED

1 AN ACT TO PROHIBIT HUNTING FROM OR ACROSS PUBLIC ROADS,
2 HUNTING ON THE LAND OF ANOTHER WITHOUT PERMISSION,
3 HUNTING WHILE IMPAIRED, AND DISCHARGING A FIREARM INTO A
4 DWELLING IN POLK COUNTY.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. It is unlawful to hunt, take, or kill, or to attempt to hunt, take, or
8 kill, with a firearm or other deadly weapon, any wild animal or wild bird, or to
9 discharge any firearm or other deadly weapon on, from, or across the right-of-way of
10 any public road, street, highway, or thoroughfare.

11 Sec. 2. It is unlawful for any person to hunt, take, or kill any wild animal or
12 wild bird on the land of another, or to take fish from private ponds, as defined in G.S.
13 113-129(13), on the land of another, without the permission of the owner or lessee of
14 the land. If the land is owned by or leased to a club or corporation, the permission must
15 be given by the president or the authorized designee of the president. Permission shall
16 not be valid for a period in excess of one year. This section will be enforced only at the
17 request of the landowner or lessee.

18 Sec. 3. It is unlawful for any person to possess a firearm or other deadly
19 weapon on the land of another while under the influence of an impairing substance. For
20 purposes of this section, a person is under the influence of an impairing substance when
21 he or she has consumed a sufficient quantity of any impairing substance to cause him or
22 her to lose the normal control of his or her bodily or mental faculties, or both, to such an
23 extent that there is an appreciable impairment of either or both of these faculties.

1 Sec. 4. It is unlawful to discharge a firearm or other deadly weapon in such a
2 manner as to allow the shot, bullet, arrow, or other projectile to fall into or to strike or
3 hit another person's dwelling, trailer, house, vehicle, or outbuildings. This section will
4 be enforced only at the request of the landowner or lessee.

5 Sec. 5. Violation of this act is a misdemeanor punishable for a first
6 conviction of not less than twenty-five dollars (\$25.00) nor more than one hundred
7 dollars (\$100.00), or by imprisonment not to exceed 30 days, and punishable for a
8 second or subsequent conviction by a fine of not less than one hundred dollars
9 (\$100.00) nor more than two hundred dollars (\$200.00), by imprisonment not to exceed
10 90 days, or by both, and by a loss of wildlife privileges for two years. A second
11 conviction is defined as a conviction occurring within 10 years after the date of the
12 offense for which the person is being sentenced.

13 Sec. 6. This act is enforceable by law enforcement officers of the Wildlife
14 Resources Commission, by sheriffs and deputy sheriffs, and by peace officers with
15 general subject matter jurisdiction.

16 Sec. 7. This act applies only to Polk County.

17 Sec. 8. This act becomes effective October 1, 1992.