

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 386
Mar 24, 2021
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10175-MH-60

Short Title: Sunny Point Railroad Restrictions. (Local)

Sponsors: Representative Miller.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE BAN ON RIGHT-OF-WAY HUNTING IN BRUNSWICK
3 COUNTY TO INCLUDE THE RAILROAD SERVING THE MILITARY OCEAN
4 TERMINAL AT SUNNY POINT.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Chapter 840 of the 1985 Session Laws reads as rewritten:

7 "Section 1. It is unlawful for any person to hunt any animal or bird from or across the
8 right-of-way of any of the following:

9 (1) A public road unless the person is the owner or lessee of or has the permission
10 of the owner or lessee of the land abutting the right-of-way from which he is
11 hunting.

12 (2) The United States Department of Defense railroad connecting the Leland rail
13 yard interchange with the Military Ocean Terminal at Sunny Point. It is also
14 unlawful to discharge a firearm from or across the right-of-way of the railroad
15 described in this subdivision, except for a firearm discharged by one of the
16 law enforcement authorities identified in Section 3 of this act pursuant to the
17 law enforcement authority's official duties.

18 "Sec. 2. Violation of this act is a misdemeanor punishable for a first conviction by a fine of
19 not less than ~~ten dollars (\$10.00)~~ fifty dollars (\$50.00) nor more than ~~fifty dollars (\$50.00)~~ one
20 hundred dollars (\$100.00) or by imprisonment not to exceed 30 days, and punishable for a
21 subsequent conviction within three years by a fine of not less than ~~fifty dollars (\$50.00)~~ one
22 hundred fifty dollars (\$150.00) nor more than ~~two hundred dollars (\$200.00)~~ two hundred fifty
23 dollars (\$250.00), by imprisonment not to exceed 90 days, or by both.

24 "Sec. 3. This act is enforceable by law enforcement officers of the Wildlife Resources
25 Commission, by sheriffs and deputy sheriffs, by officers of the State Highway Patrol, by Alcohol
26 Law Enforcement Agents, by local ABC officers, by sworn civilian police officers for the
27 Military Ocean Terminal at Sunny Point, and by other peace officers with general subject matter
28 jurisdiction.

29"

30 **SECTION 2.** This act applies only to Brunswick County.

31 **SECTION 3.** This act becomes effective October 1, 2021, and applies to offenses
32 committed on or after that date.

