



HOUSE BILL 559: Outdoor Heritage Enhanced.

2017-2018 General Assembly

Committee:

Introduced by: Reps. Millis, J. Bell

Analysis of: Fourth Edition

Date:

June 14, 2017

Prepared by:

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OVERVIEW: *House Bill 559 would expand Sunday hunting with firearms by removing certain restrictions on Sunday hunting on private land, allowing Sunday hunting on game lands, and allowing the hunting of migratory birds on Sunday, all subject to rules adopted by the Wildlife Resources Commission. The bill would also extend the date on which counties may prohibit Sunday hunting from October 1, 2017 to October 1, 2020.*

[As introduced, this bill was identical to S624, as introduced by Sens. Alexander, McInnis, Britt, which is currently in Senate Agriculture/Natural Resources.]

CURRENT LAW: Pursuant to the original Outdoor Heritage Act ([S.L. 2015-144](#)), hunting with firearms on Sundays has been permitted, subject to certain restrictions, since October 1, 2015. Currently, hunting with the use of firearms on Sundays is limited to private property in counties with 700,000 people or fewer, and subject to the following prohibitions on:

- The use of firearms to hunt between 9:30 A.M. and 12:30 P.M., except on licensed controlled hunting preserves.
- Hunting migratory birds.
- Use of firearms to hunt deer chased by dogs.
- Hunting within 500 yards of a place of worship or a residence not owned by the landowner.

Violations are punished as Class 3 misdemeanors. The Outdoor Heritage Act also contained a provision allowing counties to adopt ordinances prohibiting Sunday hunting, provided that no such ordinance shall become effective prior to October 1, 2017.

G.S. 14.54.1(b) provides that "a 'building that is a place of religious worship' shall be construed to include any church, chapel, meetinghouse, synagogue, temple, longhouse, or mosque, or other building that is regularly used, and clearly identifiable, as a place for religious worship."

BILL ANALYSIS:

Section 1 would remove restrictions on hunting with the use of firearms on private land to allow hunting of wild animals and upland game birds in all counties, at any time, except for within 500 yards of a place of religious worship, which would remain prohibited. Using dogs to hunt deer with the use of firearms would remain unlawful on Sundays.

The bill would also allow for the hunting of wild animals and upland game birds on public lands of the State that are managed for hunting, subject to the restrictions prohibiting the use of firearms to hunt deer

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chased by dogs and prohibiting the use of firearms to hunt within 500 yards of a place of religious worship.

The bill would expressly prohibit the hunting of migratory birds on Sunday unless authorized by proclamation or rules of the Wildlife Resource Commission, however the WRC would not be able to authorize the hunting of migratory birds on Sunday prior to March 1, 2018. The prohibition on hunting within 500 yards of a place of religious worship would apply to the hunting of migratory birds on Sunday if authorized by the WRC.

Hunting permitted within each of these provisions would all be subject to rules adopted by the Wildlife Resources Commission (WRC) and violations would remain Class 3 misdemeanors.

Section 2 would amend the provisions of the Outdoor Heritage Act that counties to adopt ordinances prohibiting Sunday hunting by extending the date on which such ordinances may become effective from October 1, 2017, to October 1, 2020.

Section 3 would require WRC to complete a study that includes the examination of biological and resource management impacts, economic impacts, and social impacts associated with the hunting of migratory birds on Sunday. The findings of this study would have to be submitted to the Speaker of the House, President Pro-Tem of the Senate, and the chairs of the House Committee on Wildlife Resources by March 1, 2018.

EFFECTIVE DATE: The act would be effective when it becomes law.