



# HOUSE BILL 559: Outdoor Heritage Enhanced.

2017-2018 General Assembly

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<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	June 26, 2017
<b>Introduced by:</b>	Reps. Millis, J. Bell	<b>Prepared by:</b>	Augustus D. Willis
<b>Analysis of:</b>	Fifth Edition		Staff Attorney

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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.*

[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 except for within 500 yards of a place of religious worship, which would remain prohibited. Hunting with the use of firearms would remain unlawful between the hours of 9:30 A.M. and 12:30 P.M. and the use of dogs to hunt deer with the use of firearms would remain unlawful at all times 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 9:30 A.M. until 12:30 P.M. time restriction and the

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

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restrictions prohibiting the use of firearms to hunt deer 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 between 9:30 A.M. and 12:30 P.M. or 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 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.