



# SENATE BILL 217: Richmond/Right-of-Way Safety.

2017-2018 General Assembly

<b>Committee:</b>	House State and Local Government II	<b>Date:</b>	June 13, 2017
<b>Introduced by:</b>	Sen. McInnis	<b>Prepared by:</b>	Brad Krehely
<b>Analysis of:</b>	First Edition		Committee Co-Counsel

**OVERVIEW:** *Senate Bill 217 would prohibit the discharge or attempted discharge of a firearm or bow and arrow from or across the roadway or right-of-way of any public road in Richmond County. The act would be effective when it becomes law and would apply to offenses committed on or after that date.*

**BILL ANALYSIS:** Senate Bill 217 would do all of the following:

- Prohibit the discharge or attempted discharge of a firearm or bow and arrow from, on, across, or over the roadway or right-of-way of any public road in Richmond County. This does not include any unpaved roads within the Wildlife Resources Commission's Sandhills Game Land.
- Provide that a violation of the act would be a Class 3 misdemeanor.<sup>1</sup>
- Provide that the act is enforceable by law enforcement officers of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by peace officers with general subject matter jurisdiction.

**EFFECTIVE DATE:** This act would become effective October 1, 2017, and would apply to offenses committed on or after that date.

**BACKGROUND:** Similar local laws have been enacted in the following counties:

- Beaufort County – S.L. 2013-176
- Craven County (only applies to a portion of State Road 1862) – S.L. 2009-116
- Martin County – S.L. 2008-50
- Jackson County – S.L. 2008-18
- Tyrrell County (only prohibits reckless use of firearm, bow and arrow, or crossbow) – S.L. 2007-273
- Bertie County – S.L. 2007-313
- Cherokee and Clay Counties – S.L. 2004-63

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<sup>1</sup> The punishment for a Class 3 misdemeanor for someone with no more than 3 prior convictions is a fine. For someone with five or more prior convictions, the punishment would be 1-20 days of community, intermediate, or active punishment. Fines for Class 3 misdemeanors generally may not exceed \$200. G.S. 15A-1340.23(b).

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