



SENATE BILL 220: Protect Private Property Rights.

2025-2026 General Assembly

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| Committee: | Senate Rules and Operations of the Senate | Date: | April 9, 2025 |
| Introduced by: | Sens. Rabon, McInnis, Britt | Prepared by: | Chris Saunders |
| Analysis of: | Second Edition | | Staff Attorney |

OVERVIEW: *Senate Bill 220 would do all of the following concerning trespass to property for the purpose of hunting, fishing, and trapping:*

- *Add "access[ing] public trust waters from land" to the list of activities, in addition to hunting, fishing, and trapping, that are prohibited on posted property of another without written permission from the property owner or a lessee or agent of the property owner.*
- *Create a Class 3 misdemeanor for willfully entering the unposted land, waters, ponds, or a legally established waterfowl blind of another for the purpose of accessing public trust waters from land, hunting, fishing, or trapping without written permission from the property owner or a lessee or agent of the property owner. A second or subsequent offense within three years of a first violation would be a Class 2 misdemeanor.*
- *Require a two-year suspension of a license applicable to the activity in which a person was engaged upon conviction of hunting, fishing, or trapping on posted property without written permission from the landowner.*
- *Impose a \$1,000 minimum fine for accessing public trust waters from land, hunting, fishing, or trapping on posted property without written permission from the landowner.*

CURRENT LAW AND BILL ANALYSIS:

Under G.S. 14-159.6(a), it is a Class 2 misdemeanor to willfully enter property posted with signage or purple paint marks to hunt, fish, or trap without the written permission of the owner, or a lessee or agent of the owner. Written permission must be dated within the last 12 months. Membership in a club that has been given permission to hunt, fish, or trap on the land and a copy of the written permission granted to the club also satisfies the written permission requirement.

Section 1 of Senate Bill 220 would add "access[ing] public trust waters from land" to the list of activities that would trigger a violation of G.S. 14-159.6(a), in addition to hunting, fishing, or trapping. This section would also create a new Class 3 misdemeanor at G.S. 14-159.6(a1) for willfully entering property that is not posted with signage or purple paint marks to access public trust waters from land, hunt, fish, or trap without the written permission of the owner, or a lessee or agent of the owner. This section would also recodify the written permission requirements that exist in current law and make conforming changes.

Under current law, conviction of any violation of Subchapter IV of Chapter 113 of the General Statutes (Conservation of Marine and Estuarine Resources) or a rule adopted under the authority of that Subchapter that has a penalty greater than a Class 3 misdemeanor is considered a "suspension offense" that results in

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a one-year suspension of any license or permit applicable to the type of activity the defendant was engaging in that resulted in the conviction. However, certain offenses are specified to result in a suspension for a period of two years, including a third or subsequent violation of G.S. 14-159.6(a) (hunting, fishing, or trapping on posted property).

Section 2 would make a first conviction of G.S. 14-159.6(a), as amended by Section 1 of the bill, result in a two-year suspension of any license or permit applicable to the type of activity the defendant was engaging in that resulted in the conviction.

Section 3 would provide that a violation of G.S. 14-159.6(a) is punishable by a fine of not less than \$1,000. This section would also provide that a second or subsequent violation of G.S. 14-159.6(a1) (accessing public trust waters from land, hunting, fishing, or trapping on unposted property, as enacted in Section 1 of the bill) within a three-year period is a Class 2 misdemeanor.

EFFECTIVE DATE: This act would become effective October 1, 2025, and would apply to offenses committed on or after that date.