

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 459
PROPOSED COMMITTEE SUBSTITUTE H459-PCS70235-TJ-11

Short Title: Rockingham/Hunting While Impaired.

(Local)

Sponsors:

Referred to:

March 24, 2011

A BILL TO BE ENTITLED

AN ACT TO REGULATE HUNTING WHILE IMPAIRED ON PRIVATE LAND IN
ROCKINGHAM COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. It is unlawful to hunt with a firearm or archery equipment upon the land of another while under the influence of alcohol. A person shall be deemed to be under the influence if that person has a blood alcohol concentration of .08 or greater as measured by an Alcosensor or any alcohol screening device approved by the Department of Health and Human Services for use by law enforcement officers in making on-the-scene tests of persons for alcohol concentration. Refusal to submit to a test shall be admissible as evidence in court.

SECTION 2. It is unlawful to hunt with a firearm or archery equipment upon the land of another while under the influence of any impairing substance other than alcohol by virtue of consuming a sufficient quantity of that substance so as to cause loss of normal control of bodily or mental faculties, or both, to such an extent that there is an appreciable impairment of either or both of these faculties. A person shall be deemed to be so impaired if that person tests positive for any amount of a Schedule I controlled substance under G.S. 90-89 or its metabolites in the person's blood or urine.

SECTION 3. Violation of this section is a Class 2 misdemeanor. Any person convicted of violating this section shall also be ordered to complete a hunter safety course approved by the Wildlife Resources Commission as described in G.S. 113-270.1A(b).

SECTION 4. This act is enforceable by law enforcement officers of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by other law enforcement officers with general subject matter jurisdiction.

SECTION 5. This act applies only to Rockingham County.

SECTION 6. This act becomes effective October 1, 2011, and applies to offenses committed on or after that date.



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