

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 764
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10209-ML-108

Short Title: Establish Death by Reckless Boating. (Public)

Sponsors: Representative Logan.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE OFFENSE OF DEATH OR SERIOUS INJURY BY
3 RECKLESS BOATING.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 1 of Chapter 75A of the General Statutes is amended by adding
6 a new section to read:

7 "**§ 75A-10.4. Death or serious injury by reckless boating.**

8 (a) Death by Reckless Boating. – A person commits the offense of death by reckless
9 boating if all of the following apply:

10 (1) The person unintentionally causes the death of another person while operating
11 a vessel.

12 (2) The person was engaged in an offense under G.S. 75A-10(a) for recklessly
13 operating a vessel.

14 (3) The person was not engaged in the offense of impaired boating under
15 G.S. 75A-10(b1).

16 (4) The commission of the offense in subdivision (2) of this subsection is the
17 proximate cause of the death.

18 (b) Serious Injury by Reckless Boating. – A person commits the offense of serious injury
19 by reckless boating if all of the following apply:

20 (1) The person unintentionally causes the serious injury of another person while
21 operating a vessel.

22 (2) The person was engaged in an offense under G.S. 75A-10(a) for recklessly
23 operating a vessel.

24 (3) The person was not engaged in the offense of impaired boating under
25 G.S. 75A-10(b1).

26 (4) The commission of the offense in subdivision (2) of this subsection is the
27 proximate cause of the serious injury.

28 (c) Aggravated Death by Reckless Boating. – A person commits the offense of
29 aggravated death by reckless boating if all of the following apply:

30 (1) The person unintentionally causes the death of another person while operating
31 a vessel.

32 (2) The person was engaged in an offense under G.S. 75A-10(a) for recklessly
33 operating a vessel.

34 (3) The person was not engaged in the offense of impaired boating under
35 G.S. 75A-10(b1).



- 1 (4) The commission of the offense in subdivision (2) of this subsection is the
2 proximate cause of the death.
- 3 (5) The person has a previous conviction under G.S. 75A-10(a) for recklessly
4 operating a vessel within seven years of the date of the offense.
- 5 (d) Aggravated Serious Injury by Reckless Boating. – A person commits the offense of
6 aggravated serious injury by reckless boating if all of the following apply:
- 7 (1) The person unintentionally causes the serious injury of another person while
8 operating a vessel.
- 9 (2) The person was engaged in an offense under G.S. 75A-10(a) for recklessly
10 operating a vessel.
- 11 (3) The person was not engaged in the offense of impaired boating under
12 G.S. 75A-10(b1).
- 13 (4) The commission of the offense in subdivision (2) of this subsection is the
14 proximate cause of the serious injury.
- 15 (5) The person has a previous conviction under G.S. 75A-10(a) for recklessly
16 operating a vessel within seven years of the date of the offense.
- 17 (e) Punishments. – Unless the conduct is covered under some other provision of law
18 providing greater punishment, the following classifications apply to the offenses set forth in this
19 section:
- 20 (1) Death by reckless boating is a Class A1 misdemeanor.
- 21 (2) Serious injury by reckless boating is a Class 1 misdemeanor.
- 22 (3) Aggravated death by reckless boating is a Class F felony.
- 23 (4) Aggravated serious injury by reckless boating is a Class I felony.
- 24 (f) No Double Prosecutions. – No person who has been placed in jeopardy upon a charge
25 of death by reckless boating may be prosecuted for the offense of manslaughter arising out of the
26 same death; and no person who has been placed in jeopardy upon a charge of manslaughter may
27 be prosecuted for death by reckless boating arising out of the same death."
- 28 **SECTION 2.** This act becomes effective December 1, 2025, and applies to offenses
29 committed on or after that date.