

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**HOUSE BILL 459**

Short Title:   Rockingham/Hunting While Impaired. (Local)

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Sponsors:    Representative Jones (Primary Sponsor).  
                  For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

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Referred to:   Agriculture.

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March 24, 2011

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO REGULATE HUNTING WHILE IMPAIRED ON PRIVATE LAND IN  
3 ROCKINGHAM COUNTY.

4 The General Assembly of North Carolina enacts:

5           **SECTION 1.** It is unlawful to hunt upon the land of another while under the  
6 influence of alcohol. A person shall be deemed to be under the influence if that person has a  
7 blood alcohol concentration of .01 or greater as measured by an Alcosensor or any alcohol  
8 screening device approved by the Department of Health and Human Services for use by law  
9 enforcement officers in making on-the-scene tests of persons for alcohol concentration.  
10 Refusal to submit to a test shall be admissible as evidence in court.

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

18           **SECTION 3.** Violation of this section is a Class 2 misdemeanor and is punishable  
19 by a fine of not more than five hundred dollars (\$500.00) and imprisonment from 30 days to six  
20 months, or both. Any person convicted of violating this section shall also be ordered to  
21 complete a hunter safety course approved by the Wildlife Resources Commission as described  
22 in G.S. 113-270.1A(b).

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

26           **SECTION 5.** This act applies only to Rockingham County.

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

