

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

HOUSE BILL 559
RATIFIED BILL

AN ACT TO EXPAND THE USE OF FIREARMS FOR HUNTING OF WILD ANIMALS AND UPLAND GAME BIRDS ON SUNDAY AND TO ALLOW HUNTING OF MIGRATORY BIRDS ON SUNDAY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 103-2 reads as rewritten:

"§ 103-2. Method of take when hunting on Sunday.

(a) Any landowner or member of the landowner's family, or any person with written permission from the landowner, ~~may~~may, subject to rules established by the Wildlife Resources Commission, hunt wild animals and upland game birds with the use of firearms on Sunday on the landowner's property, except that all of the following limitations apply:

- (1) Hunting on Sunday between 9:30 A.M. and 12:30 P.M. is prohibited, except on controlled hunting preserves licensed pursuant to G.S. 113-273(g).
- ~~(2) Hunting of migratory birds on Sunday is prohibited.~~
- (3) The use of a firearm to take deer that are run or chased by dogs on Sunday is prohibited.
- (4) Hunting on Sunday within 500 yards of a place of ~~worship~~religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, ~~or within 500 yards of a residence not owned by the landowner~~, is prohibited.
- ~~(5) Hunting on Sunday in a county having a population greater than 700,000 people is prohibited.~~

(a1) Any person may, subject to rules established by the Wildlife Resources Commission, hunt wild animals and upland game birds with the use of firearms on Sunday on public lands of the State managed for hunting, except that the following limitations apply:

- (1) Hunting on Sunday between 9:30 A.M. and 12:30 P.M. is prohibited.
- (2) The use of a firearm to take deer that are run or chased by dogs on Sunday is prohibited.
- (3) Hunting on Sunday within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, is prohibited.

(a2) The hunting of migratory birds on Sunday is prohibited unless authorized by proclamation or rules of the Wildlife Resources Commission, subject to the following limitations:

- (1) Hunting on Sunday between 9:30A.M. and 12:30 P.M. is prohibited, except on controlled hunting preserves licensed pursuant to G.S. 113-273(g).
- (2) Hunting on Sunday within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, is prohibited.
- (3) The Wildlife Resources Commission shall not authorize hunting of migratory birds on Sunday prior to March 1, 2018.

(b) A person who hunts on Sunday in a manner prohibited under ~~subsection (a)~~ of this section or rules adopted by the Wildlife Resources Commission shall be guilty of a Class 3



misdeemeanor. Provided, that the provisions of this section are not applicable to military reservations, the jurisdiction of which is exclusively in the federal government, to field trials authorized by the Wildlife Resources Commission, or to actions taken in defense of a person's property. Wildlife protectors are granted authority to enforce the provisions of this section."

SECTION 2. The Wildlife Resources Commission shall complete a study that includes, but is not limited to, examining biological and resource management impacts, economic impacts, and social impacts associated with hunting migratory birds on Sunday. The Wildlife Resources Commission shall submit its findings to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the chair or chairs of the House Committee on Wildlife Resources no later than March 1, 2018.

SECTION 3.(a) G.S. 153A-129 reads as rewritten:

"§ 153A-129. Firearms.

(a) Except as provided in this section, a county may by ordinance regulate, restrict, or prohibit the discharge of firearms at any time or place except in any of the following instances:

- (1) When used to take birds or animals pursuant to Chapter 113, Subchapter IV.
- (2) When used in defense of person or property.
- (3) When used pursuant to lawful directions of law-enforcement officers.

(b) A county may by ordinance prohibit hunting on Sunday as allowed under G.S. 103-2, provided the ordinance complies with all of the following:

- (1) The ordinance shall be applicable from January 1 until December 31 of any year of effectiveness.
- (2) The ordinance shall allow for individuals hunting in an adjacent county with no restriction on Sunday hunting to retrieve any animal lawfully shot from the adjacent county.
- (3) The ordinance shall be applicable to the entire county.
- (4) The ordinance shall not be effective unless approved by a majority of those voting in a county-wide referendum held as provided in G.S. 163-287. Such special election shall only be held at the time provided by G.S. 163-287(a)(1).

(c) A county may regulate the display of firearms on the public roads, sidewalks, alleys, or other public property.

(d) This section does not limit a county's authority to take action under Article 1A of Chapter 166A of the General Statutes."

SECTION 3.(b) Section 5(c) of S.L. 2015-144 reads as rewritten:

"SECTION 5.(c) Subsection (b) of this section becomes effective October 1, 2017. A county may adopt an ordinance to prohibit Sunday hunting prior to October 1, 2017, but any such ordinance shall not become effective until October 1, 2017. No such ordinance shall be effective unless approved by a majority of those voting in a county-wide referendum held as provided in G.S. 163-287. Such special election shall only be held at the time provided by G.S. 163-287(a)(1). The remainder of this section becomes effective October 1, 2015."

SECTION 4. Section 3(a) of this act becomes October 1, 2017. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of June, 2017.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives