

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 823  
SENATE BILL 747

AN ACT TO AMEND CHAPTER 113 OF THE GENERAL STATUTES OF NORTH CAROLINA TO INSERT A NEW ARTICLE TO BE KNOWN AS ARTICLE 7A TO PROVIDE FOR GREATER SAFETY IN THE HUNTING OF MIGRATORY WILD WATERFOWL.

The General Assembly of North Carolina enacts:

**Section 1.** Chapter 113 of the General Statutes is hereby amended to insert a new Article following the present Article 7 to be designated as Article 7A and to read as follows:

"Article 7A.

"Safe Distances for Hunting Migratory Wild Waterfowl.

**"§ 113-109.1. Hunting migratory wild waterfowl in the vicinity of another waterfowl blind -** It shall be unlawful for any person to hunt, shoot, take or intentionally disturb migratory wild waterfowl from a blind, boat, float, raft, mat or other buoyant craft or from any other location, position or device nearer than 500 yards to any other blind, boat, float, raft, mat or other buoyant craft, or other location, position or device which is permanently established for hunting of migratory wild waterfowl by the land or riparian owner or one with the written permission of said land or riparian owner; unless, said person is hunting, shooting, taking or intentionally disturbing migratory wild waterfowl from a blind, boat, float, raft, mat or other buoyant craft or other location, position or device located on land owned or within the riparian water area of land owned by said person or for which said person has written permission of the owner; except when such person is in active pursuit of a visible, crippled waterfowl which was legally shot by said person from a position to which said person was entitled.

**"§ 113-109.2. Penalty for violation. —** Any person who violates the provisions of G.S. 113-109.1 shall be deemed guilty of a trespass and such violation shall constitute a misdemeanor and subject the offender to a fine of not less than ten dollars (\$10.00) nor more than two hundred and fifty dollars (\$250.00) or confinement in jail for a period not to exceed five months or both in the discretion of the court. Upon conviction for a second violation of G.S. 113-109.1, the trial court shall immediately revoke the license of the violator for hunting privileges in North Carolina for the balance of the current open season and said violator shall not be eligible for a license granting hunting privileges in North Carolina during the current open season but may be eligible for license thereafter."

**Sec. 1.5.** This act shall not apply to Anson, Beaufort, Carteret, Hyde, Montgomery, and Tyrrell counties.

**Sec. 2.** All laws and clauses of laws in conflict with this act are hereby repealed.

**Sec. 3.** This act shall be effective upon its ratification.

In the General Assembly read three times and ratified, this the 24th day of May, 1973.