

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 381

Short Title: Equal Access for Equestrians/Certain Lands. (Local)

Sponsors: Representatives Pless and Clampitt (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Wildlife Resources, if favorable, Rules, Calendar, and Operations of the House

March 25, 2021

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR EQUESTRIAN ACCESS TO CERTAIN GAME LANDS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113-264 reads as rewritten:

"§ 113-264. **Regulatory power over agency property; equine access; public hunting opportunities; scheduling of managed hunts.**

(a) The Department and the Wildlife Resources Commission are granted the power by rule to license, regulate, prohibit, or restrict the public as to use and enjoyment of, or harm to, any property of the Department or the Wildlife Resources Commission, and may charge the public reasonable fees for access to or use of such property. "Property" as the word is used in this section is intended to be broadly interpreted and includes lands, buildings, vessels, vehicles, equipment, markers, stakes, buoys, posted signs and other notices, trees and shrubs and artificial constructions in boating and fishing access areas, game lands, wildlife refuges, public waters, public mountain trout waters, and all other real and personal property owned, leased, controlled, or cooperatively managed by either the Department or the Wildlife Resources Commission.

(a1) Every wildlife protector and every law enforcement officer of this State and its subdivisions shall have the authority within his or her established jurisdiction to enforce the rules promulgated pursuant to the power granted by this section regarding the willful removal of, damage to, or destruction of any property of the Department or the Wildlife Resources Commission.

(a2) To the extent that ~~subsection (a1)~~ subsections (a1) and (a3) of this section ~~conflicts~~ conflict with any provision of any local act, subsection (a1) of this section prevails.

(a3) The Wildlife Resources Commission shall provide that game lands or wildlife refuges owned or managed by the Commission shall be open and available for equine use where there is an established tradition of such use. For purposes of this section "equine use" means use by pack and saddle animals. Nothing in this subsection is intended to prevent the Commission from establishing operating hours or closures of lands for maintenance or repair work. This subsection applies only to game lands or wildlife refuges located in Haywood County.

...."

SECTION 2. The Department of Natural and Cultural Resources and the Wildlife Resources Commission shall adopt temporary and permanent rules to implement the requirements of this act.

SECTION 3. This act is effective when it becomes law.

