

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 246
Judiciary Committee Substitute Adopted 3/28/23

Short Title: Property Owners Protection Act.

(Public)

Sponsors:

Referred to:

March 9, 2023

A BILL TO BE ENTITLED

AN ACT TO AMEND WHAT CONSTITUTES THE CRIME OF SECOND DEGREE
TRESPASS TO INCLUDE ENTERING OR REMAINING ON THE CURTILAGE OF A
DWELLING BETWEEN THE HOURS OF MIDNIGHT AND 6:00 A.M.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-159.13 reads as rewritten:

"§ 14-159.13. **Second degree trespass.**

(a) **Offense.** – A person commits the offense of second degree trespass if, without authorization, ~~he~~ the person enters or remains on premises of another: on any of the following:

- (1) ~~After he~~ On premises of another after the person has been notified not to enter or remain there by the owner, by a person in charge of the premises, by a lawful occupant, or by another authorized ~~person; or person.~~
- (2) ~~That~~ On premises that are posted, in a manner reasonably likely to come to the attention of intruders, with notice not to enter the premises.
- (3) On the curtilage of a dwelling of another between the hours of midnight and 6:00 A.M.

(b) **Classification.**— ~~Second degree trespass is a Class 3 misdemeanor. Penalties. – A violation of subdivision (a)(1) or (a)(2) of this section is a Class 3 misdemeanor. A violation of subdivision (a)(3) of this section is a Class 2 misdemeanor.~~"

SECTION 2. This act becomes effective December 1, 2023, and applies to offenses committed on or after that date.

