

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

**SESSION LAW 2023-85
SENATE BILL 246**

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.

In the General Assembly read three times and ratified this the 26th day of June, 2023.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Donna McDowell White
Presiding Officer of the House of Representatives

This bill having been presented to the Governor for signature on the 27th day of June, 2023 and the Governor having failed to approve it within the time prescribed by law, the same is hereby declared to have become a law.

This 8th day of July, 2023,

s/ Olwen Blessing
Enrolling Clerk

