

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 26<sup>th</sup> 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 27<sup>th</sup> 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 8<sup>th</sup> day of July, 2023,

s/ Olwen Blessing  
Enrolling Clerk

