

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 677
Judiciary Committee Substitute Adopted 4/26/23
Third Edition Engrossed 5/1/23

Short Title: Surveyors Right of Entry.

(Public)

Sponsors:

Referred to:

April 10, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW A LIMITED RIGHT OF ENTRY FOR PROFESSIONAL LAND
3 SURVEYORS IN CERTAIN CIRCUMSTANCES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Chapter 89C of the General Statutes is amended by adding a new
6 section to read:

7 "**§ 89C-19.2. Limited right of entry by professional land surveyors.**

8 (a) A professional land surveyor licensed under this Chapter shall have the right to enter
9 upon the lands of others, if necessary to perform surveys for the practice of land surveying,
10 including the location of property corners, boundary lines, rights-of-way, and easements, and
11 may carry with them their customary equipment and vehicles. An entry by a professional land
12 surveyor to perform the practice of land surveying under this section shall not constitute trespass
13 under Article 22A or 22B of Chapter 14 of the General Statutes or shall cause the professional
14 land surveyor to be subject to arrest or a civil action by reason of the entry.

15 (b) Nothing in this section shall be construed as giving authority to a professional land
16 surveyor to destroy, injure, damage, or move anything on the lands of another without the written
17 permission of the landowner, and nothing in this section shall be construed as removing civil
18 liability for such damage.

19 (c) A professional land surveyor shall make reasonable efforts to notify adjoining
20 landowners upon whose land it is necessary to enter.

21 (d) No professional land surveyor or person under such surveyor's supervision shall have
22 a civil cause of action against a landowner or lessee for personal injury or property damage
23 incurred while on the land for purposes consistent with those described in subsection (a) of this
24 section, except when such damages and injury were willfully or deliberately caused by the
25 landowner or lessee.

26 (e) Nothing in this section shall be construed as to give authority to a professional land
27 surveyor to enter lands traversed by an operating railroad or properties owned, held, used, or
28 operated by a railroad or their subsidiaries.

29 (f) Nothing in this section shall be construed as to give authority to a professional land
30 surveyor to enter lands containing critical infrastructure or critical infrastructure facilities.

31 (g) For the purposes of this section, the following terms are defined as follows:

32 (1) Critical infrastructure. – As defined in 42 U.S.C. § 5195c.

33 (2) Critical infrastructure facilities. – Critical infrastructure that is completely
34 enclosed by a fence or other physical barriers that is obviously designed to
35 exclude intruders or clearly marked with a sign or signs posted on the property



1 that are reasonably likely to come to the attention of a person and indicate that
2 entry is forbidden without site authorization.
3 (3) Professional land surveyor. – As defined in G.S. 89C-3, including any agents,
4 employees, or personnel under their supervision."

5 **SECTION 2.** This act becomes effective October 1, 2023, and applies to acts on or
6 after that date.