

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

SESSION LAW 2016-26

HOUSE BILL 283

1 AN ACT TO ENHANCE CRIMINAL PENALTIES FOR PERSONS WHO COMMIT A
2 TRESPASS TO REAL PROPERTY BY REENTERING AFTER REMOVAL PURSUANT
3 TO A VALID ORDER OR BY KNOWINGLY CREATING OR PRESENTING A FALSE
4 DOCUMENT OF TITLE OR POSSESSION.
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6 The General Assembly of North Carolina enacts:

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8 **SECTION 1.** G.S. 14-159.12 reads as rewritten:

9 **"§ 14-159.12. First degree trespass.**

10 (a) Offense. – A person commits the offense of first degree trespass if, without
11 authorization, he enters or remains:

12 (1) On premises of another so enclosed or secured as to demonstrate clearly an
13 intent to keep out intruders; or

14 (2) In a building of another.

15 (b) Except as otherwise provided in subsection ~~(e)~~ or ~~(d)~~(c), (d), or (f) of this section, first
16 degree trespass is a Class 2 misdemeanor.

17 ...

18 (f) A violation of subsection (a) of this section is a Class I felony and shall include a fine
19 of not less than one thousand dollars (\$1,000) for each violation, if any of the following
20 circumstances exist:

21 (1) The offense occurs on real property where the person has reentered after having
22 previously been removed pursuant to the execution of a valid order or writ for
23 possession.

24 (2) The offense occurs under color of title where the person has knowingly created
25 or provided materially false evidence of an ownership or possessory interest."

26 **SECTION 2.** This act becomes effective December 1, 2016, and applies to offenses
27 committed on or after that date.

28 In the General Assembly read three times and ratified this the 20th day of June, 2016.
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31 s/ Robert A. Rucho
32 Presiding Officer of the Senate
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35 s/ Tim Moore
36 Speaker of the House of Representatives
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39 s/ Pat McCrory
40 Governor
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43 Approved 4:03 p.m. this 22nd day of June, 2016

