

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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HOUSE BILL 764

Short Title: Establish Death by Reckless Boating. (Public)

Sponsors: Representatives Logan, Setzer, Carney, and Helfrich (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Rules, Calendar, and Operations of the House

April 7, 2025

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE OFFENSE OF DEATH OR SERIOUS INJURY BY  
3 RECKLESS BOATING.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 1 of Chapter 75A of the General Statutes is amended by adding  
6 a new section to read:

7 "**§ 75A-10.4. Death or serious injury by reckless boating.**

8 (a) Death by Reckless Boating. – A person commits the offense of death by reckless  
9 boating if all of the following apply:

10 (1) The person unintentionally causes the death of another person while operating  
11 a vessel.

12 (2) The person was engaged in an offense under G.S. 75A-10(a) for recklessly  
13 operating a vessel.

14 (3) The person was not engaged in the offense of impaired boating under  
15 G.S. 75A-10(b1).

16 (4) The commission of the offense in subdivision (2) of this subsection is the  
17 proximate cause of the death.

18 (b) Serious Injury by Reckless Boating. – A person commits the offense of serious injury  
19 by reckless boating if all of the following apply:

20 (1) The person unintentionally causes the serious injury of another person while  
21 operating a vessel.

22 (2) The person was engaged in an offense under G.S. 75A-10(a) for recklessly  
23 operating a vessel.

24 (3) The person was not engaged in the offense of impaired boating under  
25 G.S. 75A-10(b1).

26 (4) The commission of the offense in subdivision (2) of this subsection is the  
27 proximate cause of the serious injury.

28 (c) Aggravated Death by Reckless Boating. – A person commits the offense of  
29 aggravated death by reckless boating if all of the following apply:

30 (1) The person unintentionally causes the death of another person while operating  
31 a vessel.

32 (2) The person was engaged in an offense under G.S. 75A-10(a) for recklessly  
33 operating a vessel.

34 (3) The person was not engaged in the offense of impaired boating under  
35 G.S. 75A-10(b1).



- 1           (4)    The commission of the offense in subdivision (2) of this subsection is the  
2           proximate cause of the death.
- 3           (5)    The person has a previous conviction under G.S. 75A-10(a) for recklessly  
4           operating a vessel within seven years of the date of the offense.
- 5       (d)    Aggravated Serious Injury by Reckless Boating. – A person commits the offense of  
6       aggravated serious injury by reckless boating if all of the following apply:
- 7           (1)    The person unintentionally causes the serious injury of another person while  
8           operating a vessel.
- 9           (2)    The person was engaged in an offense under G.S. 75A-10(a) for recklessly  
10          operating a vessel.
- 11          (3)    The person was not engaged in the offense of impaired boating under  
12          G.S. 75A-10(b1).
- 13          (4)    The commission of the offense in subdivision (2) of this subsection is the  
14          proximate cause of the serious injury.
- 15          (5)    The person has a previous conviction under G.S. 75A-10(a) for recklessly  
16          operating a vessel within seven years of the date of the offense.
- 17       (e)    Punishments. – Unless the conduct is covered under some other provision of law  
18       providing greater punishment, the following classifications apply to the offenses set forth in this  
19       section:
- 20           (1)    Death by reckless boating is a Class A1 misdemeanor.
- 21           (2)    Serious injury by reckless boating is a Class 1 misdemeanor.
- 22           (3)    Aggravated death by reckless boating is a Class F felony.
- 23           (4)    Aggravated serious injury by reckless boating is a Class I felony.
- 24       (f)    No Double Prosecutions. – No person who has been placed in jeopardy upon a charge  
25       of death by reckless boating may be prosecuted for the offense of manslaughter arising out of the  
26       same death; and no person who has been placed in jeopardy upon a charge of manslaughter may  
27       be prosecuted for death by reckless boating arising out of the same death."
- 28           **SECTION 2.** This act becomes effective December 1, 2025, and applies to offenses  
29       committed on or after that date.