

## New Right of Entry Law

Last year, the North Carolina General Assembly enacted Session Law 2023-142 without input or assistance from the Board. Section 1 of this new law took effect on July 1, 2024 and created a new section of Chapter 89C, N.C. Gen. Stat. § 89C-19.2, titled “Limited right of entry by professional land surveyors.”

Subsection (a) grants licensed surveyors and anyone under their responsible charge “the right to enter upon the lands of others, if necessary to perform surveys for the practice of land surveying.” Subsection (a) further provides that “[a]n entry under this section shall not constitute trespass . . . or shall not cause the professional land surveyor to be subject to arrest or a civil action by reason of the entry.” Subsection (c) states “[a] professional land surveyor shall make reasonable efforts to notify adjoining landowners upon whose land it is necessary to enter.”

Pursuant to an advisory opinion issued by the Attorney General’s Office, the provision protecting surveyors from liability for trespass in subsection (a) is not contingent on whether surveyors make reasonable efforts to notify adjoining landowners prior to entry, pursuant to subsection (c). Subsection (c) is a stand-alone requirement that does not affect the protections in subsection (a). **Accordingly, effective July 1, 2024, all professional land surveyors in North Carolina must make reasonable efforts to notify adjoining landowners upon whose land it is necessary to enter in order to perform any surveys.**

The right of entry law does not define what “reasonable efforts” mean. As a result, the Board will enact rules defining what “reasonable efforts to notify” means. If you have any questions or would like to provide feedback to the Board on what “reasonable efforts” should require, please contact Board Counsel, Wes Tripp, at wtripp@ncbels.org or 919-791-2000, ext. 111.

[Link to S.L. 2023-142](#)

[Link to Attorney General’s Opinion](#)