

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

SESSION LAW 2021-176
SENATE BILL 66

AN ACT TO DISAPPROVE A RULE RELATED TO CERVID EXCRETIONS ADOPTED BY
THE WILDLIFE RESOURCES COMMISSION AND TO DIRECT THE WILDLIFE
RESOURCES COMMISSION TO REVISE THE RULE.

The General Assembly of North Carolina enacts:

SECTION 1. Pursuant to G.S. 150B-21.3(b1), the amendment to the following rule, as adopted by the North Carolina Wildlife Resources Commission on February 25, 2020, and approved by the Rules Review Commission on April 16, 2020, is disapproved:

15A NCAC 10B .0201 (Prohibited Taking and Manner of Take)

SECTION 2.(a) Definitions. – For purposes of this section and its implementation, "Cervid Excretion Rule" means 15A NCAC 10B .0201 (Prohibited Taking and Manner of Take).

SECTION 2.(b) Cervid Excretion Rule. – Until the effective date of the revised permanent rule that the Wildlife Resources Commission is required to adopt pursuant to subsection (d) of this section, the Commission shall implement the Cervid Excretion Rule, as provided in subsection (c) of this section.

SECTION 2.(c) Implementation. – No person shall possess or use any substance or material that contains or is labeled as containing any excretion collected from a cervid, including feces, urine, blood, gland oil, or other bodily fluid for the purposes of taking or attempting to take, attracting, or scouting wildlife. This prohibition shall not apply to the following substances:

- (1) Products containing synthetic analogs of cervid excretions and labeled as such.
- (2) Products consisting of or containing natural substances collected by a hunter from a legally harvested cervid in North Carolina.
- (3) Natural substances collected from facilities within North Carolina that have a valid Farmed Cervid License from the North Carolina Department of Agriculture and Consumer Services and are labeled as such.
- (4) Natural deer urine products containing excretions from facilities within North Carolina that have a valid Farmed Cervid License from the North Carolina Department of Agriculture and Consumer Services and are labeled as such.
- (5) Natural deer urine products containing excretions from facilities that meet all the following requirements and are labeled as such:
 - a. Determined to be free of chronic wasting disease (CWD) based on testing by an independent laboratory using a method that may help detect the presence of CWD prions.
 - b. Complies with a federally approved CWD herd certification program and any federal CWD protocols.
 - c. Participates in additional herd management requirements as specified by the Wildlife Resources Commission.

SECTION 2.(d) Additional Rulemaking Authority. – The Commission shall adopt a rule to amend the Cervid Excretion Rule consistent with subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section



shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written objections had been received, as provided in G.S. 150B-21.3(b2).

SECTION 2.(e) Applicability and Sunset. – This section and rules adopted pursuant to this section apply to any cervid excretions used for hunting on or after December 1, 2021. This section expires when permanent rules adopted as required by subsection (d) of this section become effective.

SECTION 3. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 3rd day of November, 2021.

s/ Mark Robinson
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 3:12 p.m. this 10th day of November, 2021