

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2022-65
SENATE BILL 339**

AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE
WILDLIFE RESOURCES COMMISSION.

The General Assembly of North Carolina enacts:

**INCREASE PENALTIES FOR VIOLATIONS OF EMERGENCY POWERS OR RULES
EXERCISED TO RESPOND TO WILDLIFE DISEASE**

SECTION 1.(a) G.S. 113-135.1(b) reads as rewritten:

"(b) The limitation upon penalty does not apply to any rule violation:

- (1) Punishable under G.S. 113-294 or otherwise involving aggravating elements that result in a greater punishment than provided by G.S. 113-135;
- (2) That involves a defendant subject to the collection-license provisions of G.S. 113-272.4 or who is a dealer as defined in G.S. 113-273; or
- (3) Relating to seasons, bag limits, creel limits, taking fish other than with hook and line, buying or selling wildlife, possessing or transporting live wildlife, taking wildlife at night or with the aid of a conveyance, or falconry.
- (4) Related to violation of emergency powers exercised to respond to a wildlife disease that threatens irreparable injury to wildlife or the public pursuant to G.S. 113-306(f)."

SECTION 1.(b) G.S. 113-306 is amended by adding a new subsection to read:

"(g) Any person who violates emergency powers or rules adopted pursuant to subsection (f) of this section is guilty of a Class 3 misdemeanor for a first conviction or a Class 2 misdemeanor for a second or subsequent conviction within three years."

SECTION 1.(c) This section becomes effective December 1, 2022, and applies to offenses committed on or after that date.

FUR DEALER LICENSE CHANGES

SECTION 2.(a) G.S. 113-273(f) reads as rewritten:

"(f) Fur-Dealer License. – Except as otherwise provided in this subsection, any individual in this State who deals in furs must obtain an appropriate fur-dealer license. For the purposes of this subsection, "~~dealing in furs~~" ~~is engaging in the business of buying or selling fur-bearing animals or other wild animals that may lawfully be sold,~~ refers to any individual who buys and sells the raw furs, pelts, or skins of those animals, fur-bearing animals or other wild animals that may lawfully be sold, or the raw furs, pelts, or skins of wild animals which may not themselves be sold but whose fur, pelt, or skin may lawfully be sold. A hunter or trapper who has lawfully taken wild animals whose fur, pelt, or skin is permitted to be sold under this subsection is not considered a fur dealer if ~~he~~ the hunter or trapper exclusively sells ~~the animals or the raw furs,~~ pelts, and skins, as appropriate, to licensed fur dealers. All fur-dealer licenses are annual licenses issued beginning July 1 each year running until the following June 30. Fur-dealer licenses issued by the Wildlife Resources Commission are as follows:



- (1) Resident fur-dealer license, ~~sixty dollars (\$60.00)~~, thirty dollars (\$30.00). Authorizes an individual resident of the State to deal in furs in accordance with the rules of the Wildlife Resources Commission.
- (2) Nonresident fur-dealer license, ~~three hundred dollars (\$300.00)~~, sixty dollars (\$60.00). Authorizes an individual within the State to deal in furs in accordance with the rules of the Wildlife Resources Commission.

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SECTION 2.(b) This section becomes effective August 1, 2022.

INCLUDE PUBLIC MOUNTAIN TROUT WATERS IN RESIDENT SUBSISTENCE UNIFIED INLAND/COASTAL RECREATIONAL FISHING LICENSE WAIVER

SECTION 5. G.S. 113-351(d) reads as rewritten:

"(d) Resident Subsistence Unified Inland/Coastal Recreational Fishing License Waiver. – A county department of social services shall issue a Resident Subsistence Unified Inland/Coastal Recreational Fishing License Waiver to an individual who receives benefits from Medicaid, Food and Nutrition Services, or Work First Family Assistance through the county department of social services and who requests a waiver. This waiver shall be issued at no charge. This waiver is valid for a period of one year from the date of issuance. This waiver shall be issued only to an individual who is a resident of the State. This waiver authorizes the waiver holder to fish with hook and line for all fish in all inland fishing waters and joint fishing waters, ~~except for including~~ public mountain trout waters, and to engage in recreational fishing in coastal fishing waters. County departments of social services shall supply the Wildlife Resources Commission with the name, mailing address, and telephone number of each individual who receives a waiver."

DEFINE "DOMESTICALLY RAISED WATERFOWL AND GAME BIRDS"

SECTION 6. G.S. 113-129 reads as rewritten:

"§ 113-129. **Definitions relating to resources.**

The following definitions and their cognates apply in the description of the various marine and estuarine and wildlife resources:

...

(5b) Domestically Raised Waterfowl and Game Birds. – Propagated mallard ducks in accordance with 50 C.F.R. § 21.13, bobwhite quail, ringed neck pheasants, chukar partridges, and Hungarian partridges.

(5c) Farmed Cervid. – Any member of the Cervidae family, other than white-tailed deer, elk, mule deer, or black-tailed deer, that is bought and sold for commercial purposes.

(5e)(5d) Feral Swine. – Free-ranging mammals of the species *Sus scrofa*.

...."

EFFECTIVE DATE

law. **SECTION 7.** Except as otherwise provided, this act is effective when it becomes
In the General Assembly read three times and ratified this the 1st day of July, 2022.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 2:10 p.m. this 8th day of July, 2022