





1           (3) Fish and wildlife management, including taking, shall be consistent  
2           with the State's duty to protect the natural resource heritage and its  
3           duty to conserve wild animals, birds, and fish.

4           (4) Hunting, trapping, or fishing by sportsmen shall always be a preferred  
5           and available means of controlling all invasive or overpopulated  
6           species.

7           (5) Persons shall have the continuing right to hunt with dogs and to buy,  
8           sell, breed, transport, and use dogs in hunting.

9           (b) The General Assembly finds that animals are property, whether the animals  
10          are domesticated animals owned by persons or wildlife resources held in trust for all  
11          citizens. No law, local ordinance, rule, or regulation shall seek to establish or attempt to  
12          grant to animals any rights of persons under the law. No statute, local ordinance, rule, or  
13          regulation shall have as its philosophical basis the concept that animals are entitled to  
14          the legal justice to which persons are entitled, or that animals have the rights of persons  
15          under the law."

16          **SECTION 2.** G.S. 113-291.1 is amended by adding a new subsection to  
17 read:

18          "(k) Notwithstanding any other provision of law, a person with a concealed  
19          handgun permit issued under Article 54B of Chapter 14 of the General Statutes may  
20          possess a handgun at any time while hunting, traveling to hunt, training dogs, or  
21          traversing a refuge, public hunting area, or wildlife management area, and that  
22          possession shall not be used as a basis for charging the person with a violation of a State  
23          wildlife law or local wildlife law."

24          **SECTION 3.** G.S. 113-295 reads as rewritten:

25          "(a) It is unlawful for a person to interfere intentionally with the lawful taking of  
26 wildlife resources or to drive, harass, or intentionally disturb any wildlife resources for  
27 the purpose of disrupting the lawful taking of wildlife resources. It is unlawful for a  
28 person to intentionally distract or displace, or attempt to distract or displace, a hunting  
29 dog while that dog is running, hunting, on point, or in training. It is unlawful to take or  
30 abuse property, equipment, or hunting dogs that are being used for the lawful taking of  
31 wildlife resources. This subsection does not apply to a person who incidentally  
32 interferes with the taking of wildlife resources while using the land for other lawful  
33 activity such as agriculture, mining, or recreation. This subsection also does not apply to  
34 activity by a person on land he owns or leases.

35          Violation of this subsection is a Class 2 misdemeanor for a first conviction and a  
36 Class 1 misdemeanor for a second or subsequent conviction."

37          **SECTION 4.** G.S. 14-401.17 reads as rewritten:

38          "**§ 14-401.17. Unlawful removal or destruction of electronic dog collars; collars;**  
39          **unlawful possession or transport of dog wearing electronic collar.**

40          (a) It is unlawful to intentionally remove or destroy an electronic collar or other  
41 electronic device placed on a dog by its owner to maintain control of the dog.

42          (a1) It is unlawful to take or attempt to take possession of or transport any dog  
43 wearing an electronic collar or other electronic device, or any other dog that the person  
44 knows to be a hunting dog, without immediately notifying the owner of the dog or

1 without having prior permission of the owner to detain the dog. Nothing in this  
2 subsection limits the lawful exercise of police powers by wildlife enforcement officers,  
3 animal control officers, or other law enforcement officers.

4 (b) A first conviction for a violation of this section is a Class 3 misdemeanor. A  
5 second or subsequent conviction for a violation of this section is a Class 2  
6 misdemeanor.

7 (c) This act is enforceable by officers of the Wildlife Resources Commission, by  
8 sheriffs and deputy sheriffs, and peace officers with general subject matter jurisdiction.

9 ~~(d) This act applies only to Alamance, Anson, Avery, Beaufort, Brunswick,~~  
10 ~~Buncombe, Burke, Caldwell, Camden, Caswell, Cherokee, Chowan, Clay, Columbus,~~  
11 ~~Craven, Cumberland, Davidson, Graham, Haywood, Henderson, Hyde, Jackson,~~  
12 ~~Macon, Madison, McDowell, Mecklenburg, Mitchell, New Hanover, Orange,~~  
13 ~~Pasquotank, Pitt, Robeson, Rockingham, Swain, Transylvania, Union, Wilkes, and~~  
14 ~~Yancey Counties."~~

15 **SECTION 5.** Sections 3 and 4 of this act become effective December 1,  
16 2005, and apply to offenses committed on or after that date. The remainder of this act is  
17 effective when it becomes law.