

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 376
PROPOSED COMMITTEE SUBSTITUTE S376-PCS85225-TQ-36

Short Title: Landowners/Lesseees May Trap Coyotes.

(Public)

Sponsors:

Referred to:

March 21, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE WILDLIFE RESOURCES COMMISSION TO ENACT RULES
3 FOR THE YEAR ROUND TRAPPING OF COYOTES AND ESTABLISH A PERMIT
4 FOR THE YEAR ROUND TRAPPING OF COYOTES BY LANDOWNERS AND
5 LESSEES ON THEIR LAND; TO PROVIDE THE WILDLIFE RESOURCES
6 COMMISSION WITH AUTHORITY TO ESTABLISH TRAPPING SEASONS IN THE
7 EXERCISE OF ITS TEMPORARY RULE-MAKING AUTHORITY; TO INCREASE
8 THE PENALTY FOR UNLAWFULLY SELLING, POSSESSING FOR SALE, BUYING
9 A FOX, OR TAKING ANY FOX BY UNLAWFUL TRAPPING OR WITH THE AID OF
10 ANY ELECTRONIC CALLING DEVICE; AND TO CREATE PENALTIES FOR
11 REMOVING A LIVE COYOTE FROM A TRAP AND TRANSPORTING A LIVE
12 COYOTE AFTER REMOVAL.

13 The General Assembly of North Carolina enacts:

14 **SECTION 1.** Rule making. – The Wildlife Resources Commission is directed to
15 adopt rules allowing a landowner or lessee to trap coyotes on the landowner's or lessee's land
16 outside of trapping seasons established by the Wildlife Resources Commission.

17 **SECTION 2.** G.S. 113-274(c) reads as rewritten:

18 "§ 113-274. **Permits.**

19 ...
20 (c) The Wildlife Resources Commission may issue the following permits:

21 ...
22 (1d) Out-of-Season Coyote Trapping Permit. – Authorizes a landowner or lessee
23 to trap coyote on the landowner's or lessee's land outside any lawfully
24 established trapping seasons. It shall be unlawful under this permit to
25 remove any coyote taken from a trap while the coyote is still alive or to
26 transport the live coyote after that removal, unless such animal is affixed
27 with an electronic collar. Animals affixed with electronic collars must be
28 handled in accordance with rules of the Wildlife Resources Commission.
29 The permit must state the types of traps used and the disposition of wildlife
30 or wildlife resources authorized and the time for which the permit is valid,
31 plus other restrictions that may be administratively imposed in accordance
32 with rules of the Wildlife Resources Commission, including, but not limited
33 to, required education and understanding of trapping best management
34 practices. Landowners or lessees shall be issued an out-of-season coyote
35 trapping permit upon request.

36"



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1 **SECTION 3.** G.S. 150B-21.1 reads as rewritten:

2 "**§ 150B-21.1. Procedure for adopting a temporary rule.**

3 (a) Adoption. – An agency may adopt a temporary rule when it finds that adherence to
4 the notice and hearing requirements of G.S. 150B-21.2 would be contrary to the public interest
5 and that the immediate adoption of the rule is required by one or more of the following:

6 ...

7 (7) The need for the Wildlife Resources Commission to establish any of the
8 following:

9 a. No wake zones.

10 b. Hunting or fishing seasons.

11 c. Hunting or fishing bag limits.

12 d. Management of public game lands as defined in G.S. 113-129(8a).

13 e. Trapping seasons.

14 "

15 **SECTION 4.** G.S. 113-294 reads as rewritten:

16 "**§ 113-294. Specific violations.**

17 ...

18 (j) Any person who unlawfully sells, possesses for sale, or buys a fox, or who takes any
19 fox by unlawful trapping or with the aid of any electronic calling device is guilty of a Class 2
20 misdemeanor, punishable by a fine of not less than five hundred dollars (\$500.00) in addition to
21 any other punishment prescribed for the offense in question. Each of the acts specified shall
22 constitute a separate offense, unless a greater penalty is prescribed for the offense in question.

23 ...

24 (t) Any person who violates the provisions of G.S. 113-274(c)(1d) by unlawfully
25 removing any coyote taken from a trap while the coyote is still alive or to transport the live
26 coyote after that removal is guilty of a Class 2 misdemeanor, punishable by a fine of not less
27 than five hundred dollars (\$500.00) in addition to any other punishment prescribed for the
28 offense in question. The acts of removal from a trap and of transporting the coyote after
29 removal shall constitute separate offenses.

30 "

31 **SECTION 5.** This act becomes effective October 1, 2013.