

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 1059
May 14, 2014
HOUSE PRINCIPAL CLERK

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HOUSE DRH80430-LH-199 (11/22)

Short Title: Take Venus Flytrap/Crime/New Hanover County. (Local)

Sponsors: Representative Davis.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE THE LARCENY OF VENUS FLYTRAPS IN NEW HANOVER COUNTY A FELONY OFFENSE.

The General Assembly of North Carolina enacts:

SECTION 1. Any person who takes and carries away, or aids in taking or carrying away, any Venus flytrap (*Dionaea muscipula*) plant or the seed of any Venus flytrap plant growing upon the lands of another person with the intent to steal the Venus flytrap plant or seed is guilty of a Class H felony.

SECTION 2. G.S. 14-129 reads as rewritten:

"§ 14-129. **Taking, etc., of certain wild plants from land of another.**

No person, firm or corporation shall dig up, pull up or take from the land of another or from any public domain, the whole or any part of any Venus flytrap (*Dionaea muscipula*), trailing arbutus, Aaron's Rod (*Thermopsis caroliniana*), Bird-foot Violet (*Viola pedata*), Bloodroot (*Sanguinaria canadensis*), Blue Dogbane (*Amsonia tabernaemontana*), Cardinal-flower (*Lobelia cardinalis*), Columbine (*Aquilegia canadensis*), Dutchman's Breeches (*Dicentra cucullaria*), Maidenhair Fern (*Adiantum pedatum*), Walking Fern (*Camptosorus rhizophyllus*), Gentians (*Gentiana*), Ground Cedar, Running Cedar, Hepatica (*Hepatica americana* and *acutiloba*), Jack-in-the-Pulpit (*Arisaema triphyllum*), Lily (*Lilium*), Lupine (*Lupinus*), Monkshood (*Aconitum uncinatum* and *reclinatum*), May Apple (*Podophyllum peltatum*), Orchids (all species), Pitcher Plant (*Sarracenia*), Shooting Star (*Dodecatheon meadia*), Oconee Bells (*Shortia galacifolia*), Solomon's Seal (*Polygonatum*), Trailing Christmas (*Greens-Lycopodium*), Trillium (*Trillium*), Virginia Bluebells (*Mertensia virginica*), and Fringe Tree (*Chionanthus virginicus*), American holly, white pine, red cedar, hemlock or other coniferous trees, or any flowering dogwood, any mountain laurel, any rhododendron, or any ground pine, or any Christmas greens, or any Judas tree, or any leucothea, or any azalea, without having in his possession a permit to dig up, pull up or take such plants, signed by the owner of such land, or by his duly authorized agent. ~~Any~~ Unless the conduct is covered under some other provision of law providing greater punishment, any person convicted of violating the provisions of this section shall be guilty of a Class 3 misdemeanor only punished by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) for each offense. The provisions of this section shall not apply to the Counties of Cabarrus, Carteret, Catawba, Cherokee, Chowan, Cumberland, Currituck, Dare, Duplin, Edgecombe, Franklin, Gaston, Granville, Hertford, McDowell, Pamlico, Pender, Person, Richmond, Rockingham, Rowan and Swain."

SECTION 3. This act applies only to New Hanover County.



1 **SECTION 4.** This act becomes effective December 1, 2014, and applies to
2 offenses committed on or after that date.