

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

FILED SENATE  
May 2, 2024  
S.B. 834  
PRINCIPAL CLERK

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SENATE BILL DRS55067-MHa-137E

Short Title: Invasive Species Control and Prevention. (Public)

Sponsors: Senators Smith and Batch (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FOR THE CONTROL AND PREVENTION OF INVASIVE SPECIES  
3 IN NORTH CAROLINA.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** G.S. 113-129(10a) is recodified as G.S. 113-129(10b).

6 **SECTION 1.(b)** G.S. 113-129, as amended by subsection (a) of this section, is  
7 amended by adding a new subdivision to read:

8 "(10a) Invasive species. – Any of the following:

- 9 a. Coyote (Canis latrans).  
10 b. European starling (Sturnus vulgaris).  
11 c. Feral swine (Sus scrofa).  
12 d. Grass carp (Ctenopharyngodon idella).  
13 e. Lionfish (Pterois volitans).  
14 f. Nutria (Myocastor coypus).  
15 g. Exotic species regulated by the Wildlife Resources Commission under  
16 G.S. 113-292(d), and any other species not native to the State that the  
17 Wildlife Resources Commission, in consultation with the Department  
18 of Agriculture and Consumer Services, determines to be a threat to  
19 native ecosystems, a threat to introduce epizotic diseases to native  
20 species, or a risk to agriculture."

21 **SECTION 1.(c)** Article 22 of Chapter 113 of the General Statutes is amended by  
22 adding two new sections to read:

23 "**§ 113-292.1. Control of invasive species.**

24 (a) Finding. – The General Assembly finds that invasive species present a significant  
25 threat to ecosystems, agriculture, and private property across the State and that the hunting and  
26 trapping of those species is a practical and cost-effective solution to controlling these populations.

27 (b) Commission to Adopt Rules. – The Wildlife Resources Commission shall issue rules  
28 establishing open seasons and manner of take requirements in all 100 counties of the State for all  
29 invasive species that the Commission determines to be game animals or game birds. Seasons  
30 established under this subsection shall maximize opportunities for hunters and trappers to take  
31 invasive species.

32 (c) Nongame Invasive Species. – With respect to invasive species that the Wildlife  
33 Resources Commission finds are not game animals or game birds, the Commission shall develop  
34 programs to encourage control of those species by State agencies, local governments, private  
35 landowners, hunters, and trappers.



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1       (d) Local Acts in Conflict. – Any local acts in conflict with the provisions of this section  
2 are repealed to the extent of the conflict.

3 **"§ 113-292.2. Invasive Species Management Fund.**

4       (a) Fund Established. – The Invasive Species Management Fund (Fund) is established as  
5 a special revenue fund. The Fund consists of General Fund appropriations, gifts, grants, devises,  
6 funds contributed by non-State entities, and any other revenues or receipts of the Wildlife  
7 Resources Commission specifically allocated to the Fund by an act of the General Assembly.

8       (b) Uses of the Fund. – Revenue in the Fund may only be used for the following purposes:

9           (1) Activities to manage, control, and eradicate invasive species, including the  
10 development of management, control, or eradication plans for particular  
11 invasive species.

12           (2) Public education regarding the harms caused by invasive species. Funding of  
13 public educational activities under this subdivision are limited to no more than  
14 five hundred thousand dollars (\$500,000) in each fiscal year.

15           (3) The establishment of a Rapid Response Team (RRT) composed of  
16 representatives of the Wildlife Resources Commission, the Department of  
17 Agriculture and Consumer Services, and the Division of Marine Fisheries of  
18 the Department of Environmental Quality. Upon a request from the Executive  
19 Director of the Wildlife Resources Commission, the RRT shall evaluate the  
20 information provided and the severity and risk level of the invasive species  
21 discovered in the State and coordinate a response to address the immediate  
22 needs for response, public notification, and education. Funding of the RRT is  
23 limited to one million five hundred thousand dollars (\$1,500,000) in each  
24 fiscal year.

25       (c) Emergency Funding Requests. – If the Commission determines that an introduction  
26 of an invasive species to the State constitutes a significant threat to ecosystems, agriculture, and  
27 private property across the State, the Commission may declare an invasive species emergency.  
28 Upon declaration of the emergency, the Commission shall request needed additional funding for  
29 immediate investigation, containment, and eradication of the outbreak from the Contingency and  
30 Emergency Fund to the Council of State for approval following the process set forth in  
31 G.S. 143C-4-4(c). The approved funds will be allocated by the State Controller to the Fund.

32       (d) Report. – The Commission shall report annually no later than October 1 regarding  
33 activities completed or undertaken with financial support from the Fund to the Fiscal Research  
34 Division and the Joint Legislative Oversight Committee on Agriculture and Natural and  
35 Economic Resources. The report shall include activity type, activity location, brief description  
36 of the activity, entity receiving the funding, and amount of funding provided."

37       **SECTION 2.** The sum of five million dollars (\$5,000,000) in recurring funds for the  
38 2024-2025 fiscal year is appropriated from the General Fund to the Wildlife Resources  
39 Commission, to be allocated to the Invasive Species Management Fund established by  
40 G.S. 113-292.2, as enacted by Section 1 of this act.

41       **SECTION 3.** This act becomes effective July 1, 2024.