

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 450
Mar 18, 2025
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40145-ML-12

Short Title: Private Property Rights Act. (Public)

Sponsors: Representative Chesser.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT A PRIVATE DETECTIVE OR PRIVATE INVESTIGATOR FROM
3 INSTALLING AND USING AN ELECTRONIC TRACKING DEVICE WITHOUT FIRST
4 OBTAINING A SEARCH WARRANT OR OTHER JUDICIAL ORDER AUTHORIZING
5 THE INSTALLATION AND USE; AND TO REQUIRE THAT WILDLIFE PROTECTORS
6 OBTAIN A SEARCH WARRANT OR OTHER SIMILAR ORDER BEFORE
7 CONDUCTING INSPECTIONS OR INVESTIGATIONS ON OR IN CERTAIN PRIVATE
8 PROPERTY.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 14-196.3(b)(5)k. is repealed.

11 **SECTION 2.(a)** G.S. 113-136 reads as rewritten:

12 **"§ 113-136. Enforcement authority of inspectors and protectors; refusal to obey or allow**
13 **inspection by inspectors and protectors.**

14 ...

15 (c) The jurisdiction of protectors extends to all matters within the jurisdiction of the
16 Wildlife Resources Commission, whether set out in this Chapter, Chapter 75A, Chapter 143,
17 Chapter 143B, or elsewhere. The Wildlife Resources Commission is specifically granted
18 jurisdiction over all aspects of:

- 19 (1) Boating and water safety;
20 (2) Hunting and trapping;
21 (3) Fishing, exclusive of fishing under the jurisdiction of the Marine Fisheries
22 Commission; and
23 (4) Activities in woodlands and on inland waters governed by G.S. 106-908 to
24 G.S. 106-910.

25 In addition, protectors have jurisdiction over all offenses involving property of or leased by the
26 Wildlife Resources Commission or occurring on wildlife refuges, game lands, or boating and
27 fishing access areas managed by the Wildlife Resources Commission. The authority of protectors
28 over offenses on public hunting grounds is governed by the jurisdiction granted the Commission
29 in G.S. 113-264(c).

30 ...

31 (l) Nothing in this section authorizes searches within the curtilage of a dwelling or of the
32 living quarters of a vessel without a search warrant or other judicial order authorizing the search
33 or in contravention of constitutional prohibitions against unreasonable searches and seizures."

34 **SECTION 2.(b)** G.S. 113-302.1 reads as rewritten:

35 **"§ 113-302.1. Inspection of licensed or commercial premises; authority to secure inspection**
36 **warrants.**



1 (a) Protectors are authorized to enter and make a reasonable inspection at an appropriate
2 time of day of any premises in which a person subject to administrative control under
3 G.S. 113-276.2 conducts his operations to determine whether any wildlife on the premises is
4 possessed in accordance with applicable laws and rules, required records are being kept, and
5 other legal requirements are being observed. It is an appropriate time of day for inspection if the
6 establishment is open for business or if a proprietor or employee is on the premises.

7 (b) In cases not controlled by subsection (a), protectors who believe that wildlife may be
8 on the premises of any public refrigeration storage plant, meat shop, store, produce market, hotel,
9 restaurant, or other public food-storage or eating place may request permission to enter the
10 nonpublic areas of the premises to make a reasonable inspection to determine whether any
11 wildlife on the premises is possessed in accordance with applicable laws and rules. If the person
12 in charge of the premises refuses the inspection request of a protector, ~~he~~the protector is
13 authorized to procure and execute an administrative search warrant issued under the terms of
14 Article 4A of Chapter 15 of the General Statutes or under any successor legislation.

15 (c) In cases controlled by subsection (a), an administrative search warrant ~~may be secured~~
16 ~~in the protector's discretion or if case law requires it.~~ issued under the terms of Article 4A of
17 Chapter 15 of the General Statutes shall be secured. Nothing in this section is intended to prevent
18 a lawful search of premises, with or without a search warrant under Chapter 15A of the General
19 Statutes, when the circumstances so justify."

20 **SECTION 3.** This act becomes effective December 1, 2025, and applies to offenses
21 committed on or after that date.