

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

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**HOUSE BILL 442
Committee Substitute Favorable 4/29/25
Committee Substitute #2 Favorable 5/6/25
PROPOSED SENATE COMMITTEE SUBSTITUTE H442-PCS30471-BR-20**

Short Title: Flounder/Red Snapper Seasons & Shrimp Trawl.

(Public)

Sponsors:

Referred to:

March 20, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO RESTORE RECREATIONAL FISHING FOR FLOUNDER AND RED
3 SNAPPER IN NORTH CAROLINA THROUGH THE CREATION OF A FOUR-YEAR
4 PILOT PROGRAM AND TO PROHIBIT THE USE OF TRAWL NETS TO TAKE
5 SHRIMP IN COASTAL FISHING WATERS OR THE ATLANTIC OCEAN WITHIN
6 ONE-HALF MILE OF THE SHORELINE.

7 The General Assembly of North Carolina enacts:

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9 **RESTORE FLOUNDER AND RED SNAPPER SEASONS**

10 **SECTION 1.(a)** Findings. – The General Assembly makes the following findings:

- 11 (1) In 2024, the Division of Marine Fisheries of the Department of Environmental
12 Quality issued proclamations limiting the recreational harvest of flounder to
13 four days in joint fishing waters and the recreational harvest of red snapper to
14 one day.
- 15 (2) The recreational fishing industry contributes significantly to the economy of
16 coastal North Carolina.
- 17 (3) North Carolina's restrictions on recreational fishing of flounder and red
18 snapper are more stringent than any other southeastern state from Virginia to
19 Texas.
- 20 (4) There is considerable overlap in the fish population between southeastern
21 counties of the State, such as Brunswick County, and South Carolina.
- 22 (5) Higher creel and season limits in South Carolina in 2024 give that state a
23 significant competitive advantage in the competition for recreational fishing
24 tourism.
- 25 (6) State policies regarding recreational catch and release reporting and data
26 analysis overestimate overall mortality, thus skewing the science on the
27 flounder fishery.
- 28 (7) Coastal fishing charters or individual boats report catching large amounts of
29 these species by accident and having to release them, indicating the
30 populations are plentiful.
- 31 (8) These unnecessarily strict and possibly unscientific restrictions on the
32 recreational fishing industry force recreational fishing customers and captains
33 to move much of their business to South Carolina and Virginia.



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1 **SECTION 1.(b)** Directive. – Notwithstanding G.S. 113-221.1 and
2 G.S. 143B-289.52 and any other provision of law to the contrary, the Fisheries Director (as
3 defined in G.S. 113-251), the Marine Fisheries Commission (Commission), and the Division of
4 Marine Fisheries of the Department of Environmental Quality (Division) shall do all of the
5 following:

- 6 (1) Undertake a supplement to the Southern Flounder Fishery Management Plan
7 to increase recreational and commercial access to the southern flounder
8 resource by allowing a recreational harvest season not less than six weeks
9 between May 15 and November 15 of each year with a limit of one fish per
10 person per day, and no seasonal limit; and set a commercial quota with a total
11 allowed catch of 750,000 pounds with quota overages in one year deducted
12 from the following year's quota and any unused quota in one year added to the
13 following year's quota. All other size and manner of take limits, season
14 opening dates, area designations, and specific area and gear sub-allocations
15 implemented through Amendment 3 to the Southern Flounder Fishery
16 Management Plan shall continue to apply.
- 17 (2) Allow a year-round red snapper season with a limit of two fish per person per
18 day and a 20-inch minimum size limit in State waters.
- 19 (3) By July 1, 2026, complete a southern flounder stock assessment based on the
20 most recent years of available data.

21 **SECTION 2.** Report. – The Division shall report the results of the southern flounder
22 stock assessment no later than August 1, 2026, to the chairs and members of the House Wildlife
23 Resources Committee and the Senate Agriculture, Energy, and Environment Committee and shall
24 annually report no later than August 1 thereafter with an assessment of progress in rebuilding the
25 southern flounder stock and an estimated time line of further increasing recreational and
26 commercial access to the southern flounder resource.

27
28 **PROHIBIT SHRIMP TRAWLING IN ALL INSHORE FISHING WATERS AND**
29 **WITHIN ONE-HALF MILE OF THE SHORELINE**

30 **SECTION 3.(a)** G.S. 113-187(d) reads as rewritten:

31 "(d) Any person in charge of a commercial fishing operation conducted in violation of the
32 following provisions of this Subchapter or the following rules of the Marine Fisheries
33 Commission; and any person in charge of any vessel used in violation of the following provisions
34 of the Subchapter or the following rules, shall be guilty of a Class A1 misdemeanor. The
35 violations of the statute or the rules for which the penalty is mandatory are:

- 36 (1) Taking or attempting to take, possess, sell, or offer for sale any oysters,
37 mussels, or clams taken from areas closed by statute, rule, or proclamation
38 because of suspected pollution.
- 39 (2) Taking or attempting to take or have in possession aboard a vessel, shrimp
40 taken by the use of a trawl net, in areas not opened to shrimping, pulled by a
41 vessel not showing lights required by G.S. 75A-6 after sunset and before
42 sunrise.
- 43 (3) Using a trawl net in any coastal fishing waters closed by proclamation or rule
44 to trawl nets.
- 45 (3a) Taking or attempting to take shrimp using a trawl net in any coastal fishing
46 waters other than areas of the Atlantic Ocean located more than one-half mile
47 from the shoreline.
- 48 (4) Violating the provisions of a special permit or gear license issued by the
49 Department.

1 (5) Using or attempting to use any trawl net, long haul seine, swipe net,
2 mechanical methods for oyster or clam harvest or dredge in designated
3 primary nursery areas."

4 **SECTION 3.(b)** The Marine Fisheries Commission shall adopt temporary and
5 permanent rules to implement this section.

6 **SECTION 3.(c)** This section becomes effective December 1, 2025, and applies to
7 offenses committed on or after that date.

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9 **SEVERABILITY AND EFFECTIVE DATE**

10 **SECTION 4.(a)** If any provision of this act or the application thereof to any person
11 or circumstances is held invalid, such invalidity shall not affect other provisions or applications
12 of this act that can be given effect without the invalid provision or application and, to this end,
13 the provisions of this act are declared to be severable.

14 **SECTION 4.(b)** Effective Date; Expiration. – Except as otherwise provided, this act
15 is effective when it becomes law. Sections 1 and 2 of this act expire August 1, 2029.