

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1011

Short Title: Amend Trap Sizes.

(Public)

Sponsors: Senator Swindell.

Referred to: Agriculture/Environment/Natural Resources.

March 26, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAW GOVERNING THE SIZES OF TRAPS FOR TAKING
3 WILD ANIMALS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 113-291.6 reads as rewritten:

6 "**§ 113-291.6. Regulation of trapping.**

7 (a) No one may take wild animals by trapping upon the land of another without having
8 in his possession written permission issued and dated within the previous year by the owner of
9 the land or his agent. This subsection does not apply to public lands on which trapping is not
10 specifically prohibited, including tidelands, marshlands, and any other untitled land.

11 (b) No one may take wild animals by trapping with any steel-jaw, leghold, or ~~conibear~~
12 conibear trap unless it:

13 (1) Has a jaw spread of not more than seven and one-half inches.

14 (2) Is horizontally offset with closed jaw spread of at least three sixteenths of an
15 inch for a trap with a jaw spread of more than five and one-half inches. This
16 subdivision does not apply if the trap is set in the water with quick-drown
17 type of set.

18 (3) Is smooth edged and without teeth or spikes.

19 (4) Has a weather-resistant permanent tag attached legibly giving the trapper's
20 name and address.

21 A steel-jaw or leghold trap set on dry land with solid anchor may not have a trap chain longer
22 than eight inches from trap to anchor unless fitted with a shock-absorbing device approved by
23 the Wildlife Resources Commission.

24 (c) No person may set or otherwise use a trap so that animals or birds when caught will
25 be suspended. No hook of any type may be used to take wild animals or wild birds by trapping.

26 (d) ~~Trap number 330 of the conibear type or size~~ Conibear type traps that have an
27 inside jaw spread or opening (width or height) greater than seven and one-half inches and no
28 larger than 10 inches may only be set in the water and in areas in which beaver and otter may
29 be lawfully trapped. For the purposes of this section:

30 (1) A water-set trap is one totally covered by water with the anchor secured in
31 water deep enough to drown the animal trapped quickly.

32 (2) In areas of tidal waters, the mean high water is considered covering water.

33 (3) In reservoir areas, covering water is the low water level prevailing during the
34 preceding 24 hours.

35 (4) Marshland, as defined in G.S. 113-229(n)(3), is not considered dry land.

36 (e) With respect to any lawfully placed trap of another set in compliance with the
37 provisions of this section, no one without the express permission of the trapper may:



- 1 (1) Remove or disturb any trap; or
- 2 (2) Remove any fur-bearing animal from the trap.
- 3 This subsection does not apply to wildlife protectors or other law-enforcement officers acting
- 4 in the performance of their duties.
- 5 (f) Nothing in this section prohibits the use of steel- or metal-jaw traps by county or
- 6 State public health officials or their agents to control the spread of disease when the use of
- 7 these traps has been declared necessary by the State Health Director.
- 8 (g) The Wildlife Resources Commission must include the trapping requirements of this
- 9 section in its annual digest of hunting and trapping rules provided to each person upon purchase
- 10 of a license."
- 11 **SECTION 2.** G.S. 113-291.9(c) reads as rewritten:
- 12 "(c) Notwithstanding G.S. 113-291.6(d) or any other law, it is lawful to set traps ~~number~~
- 13 ~~330~~ of the ~~conibear~~ conibear type ~~or size~~, that have an inside jaw spread or opening (width or
- 14 height) no larger than 10 inches if at least one-half of the trap is covered by water, when
- 15 trapping beaver during the season for trapping beaver as established by the Wildlife Resources
- 16 Commission."
- 17 **SECTION 3.** This act becomes effective October 1, 2009.