

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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HOUSE BILL 486

Short Title: Commercial Fishing License Reforms. (Public)

Sponsors: Representatives Yarborough, Dixon, Cunningham, and Wray (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Wildlife Resources, if favorable, Finance, if favorable, Appropriations, Agriculture and Natural and Economic Resources, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 28, 2019

A BILL TO BE ENTITLED
AN ACT TO AMEND THE COASTAL FISHING LICENSE STATUTES TO EASE
REGULATORY BURDENS AND ENHANCE ACCESS TO FISHERIES FOR BONA
FIDE COMMERCIAL FISHERMEN.

The General Assembly of North Carolina enacts:

SCFL REFORMS

SECTION 1.1.(a) Article 14A of Chapter 113 of the General Statutes reads as rewritten:

"Article 14A.

"Coastal and Estuarine Commercial Fishing Licenses.

"§ 113-168. Definitions.

As used in this Article:

(1) "CFCL" means Commercial Fishing Crew License.

(1a) "Commercial fishing operation" means any activity preparatory to, during, or subsequent to the taking of any fish, the taking of which is subject to regulation by the Commission, either with the use of commercial fishing equipment or gear, or by any means if the purpose of the taking is to obtain fish for sale. Commercial fishing operation does not include (i) the taking of fish as part of a recreational fishing tournament, unless commercial fishing equipment or gear is used, (ii) the taking of fish under a RCGL, or (iii) the taking of fish as provided in G.S. 113-261.

(2) "Commission" means the Marine Fisheries Commission.

(2a) "Controlling interest," with respect to a corporation, partnership, association, or other legal entity, means the power to make decisions about the entity and the exercise of its legal powers without the agreement of any other person or legal entity.

(3) "Division" means the Division of Marine Fisheries in the Department of Environmental Quality.

(3a) "HSCFL" means Heritage Standard Commercial Fishing License.

(3b) "Immediate family" means the mother, father, brothers, sisters, spouse, children, stepparents, stepbrothers, stepsisters, and stepchildren of a person.



- 1 (4) "License year" means the period beginning 1 July of a year and ending on 30
2 June of the following year.
- 3 (5) "North Carolina resident" means a person who is a resident within the meaning
4 of G.S. 113-130(4).
- 5 (5a) "Person" means an individual.
- 6 (6) "RCGL" means Recreational Commercial Gear License.
- 7 (7) "RSCFL" means Retired Standard Commercial Fishing License.
- 8 (8) "SCFL" means Standard Commercial Fishing License.

9 **"§ 113-168.1. General provisions governing licenses and endorsements.**

10 ...

11 (d) No Dual Residency. – It is unlawful for any person to hold any currently valid license
12 issued under this Article to the person as a North Carolina resident if that person holds any
13 currently valid commercial or recreational fishing license issued by another state to the person as
14 a resident of that state.

15 (d1) It is unlawful for any person to hold more than one of each type of license issued
16 under this Article. For purposes of this subsection, any corporation or other legal entity in which
17 a person holds a controlling interest shall count towards the limit imposed by this subsection.

18 ...

19 **"§ 113-168.2. Standard Commercial Fishing License.**

20 ...

21 (e) Fees. – The annual SCFL fee for a resident of this State shall be ~~four-eight~~ hundred
22 dollars ~~(\$400.00).~~ (\$800.00). The annual SCFL fee for a person who is not a resident of this State
23 shall be the amount charged to a resident of this State in the nonresident's state. In no event,
24 however, may the fee be less than ~~four-eight~~ hundred dollars ~~(\$400.00).~~ (\$800.00). For purposes
25 of this subsection, a "resident of this State" is a person who is a resident within the meaning of:

- 26 (1) Sub-subdivisions a. through d. of G.S. 113-130(4) and who filed a State
27 income tax return as a resident of North Carolina for the previous calendar or
28 tax year, or
- 29 (2) G.S. 113-130(4)e.

30 (f) Assignment. – The holder of a SCFL may assign the SCFL ~~to any individual who is~~
31 ~~eligible to hold a SCFL under this Article.~~ only to a member of the SCFL holder's immediate
32 family or to a corporation or other legal entity in which the SCFL holder, together with members
33 of the SCFL holder's immediate family, holds a controlling interest. It is unlawful for the holder
34 of an SCFL to assign a shellfish endorsement of an SCFL to any individual who is not a resident
35 of this State. The assignment shall be in writing on a form provided by the Division and shall
36 include the name of the licensee, the license number, any endorsements, the assignee's name,
37 mailing address, physical or residence address, and the duration of the assignment. If a notarized
38 copy of an assignment is not filed with the Morehead City office of the Division within five days
39 of the date of the assignment, the assignment shall expire. It is unlawful for the assignee of a
40 SCFL to assign the SCFL. The assignment shall terminate:

- 41 (1) Upon written notification by the assignor to the assignee and the Division that
42 the assignment has been terminated.
- 43 (2) Upon written notification by the estate of the assignor to the assignee and the
44 Division that the assignment has been terminated.
- 45 (3) If the Division determines that the assignee is operating in violation of the
46 terms and conditions applicable to the assignment.
- 47 (4) If the assignee becomes ineligible to hold a license under this Article.
- 48 (5) Upon the death of the assignee.
- 49 (6) If the Division suspends or revokes the assigned SCFL.
- 50 (7) At the end of the license year.

1 (g) Transfer. – A SCFL may be transferred only by the Division. A SCFL may be
2 transferred pursuant to rules adopted by the Commission or upon the request of:

3 (1) A licensee, from the licensee to a member of the licensee's immediate family
4 who is eligible to hold a SCFL under this ~~Article~~ Article or to a corporation in
5 which the SCFL holder, together with members of the SCFL holder's
6 immediate family, holds a majority interest.

7 (2) The administrator or executor of the estate of a deceased licensee, to the
8 administrator or executor of the estate if a surviving member of the deceased
9 licensee's immediate family is eligible to hold a SCFL under this Article. The
10 administrator or executor must request a transfer under this subdivision within
11 six months after the administrator or executor qualifies under Chapter 28A of
12 the General Statutes. An administrator or executor who holds a SCFL under
13 this subdivision may, for the benefit of the estate of the deceased licensee:

14 a. Engage in a commercial fishing operation under the SCFL if the
15 administrator or executor is eligible to hold a SCFL under this Article.

16 b. Assign the SCFL as provided in subsection (f) of this section.

17 c. Renew the SCFL as provided in G.S. 113-168.1.

18 (3) An administrator or executor to whom a SCFL was transferred pursuant to
19 subdivision (2) of this subsection, to a surviving member of the deceased
20 licensee's immediate family who is eligible to hold a SCFL under this Article.

21 ~~(4) The surviving member of the deceased licensee's immediate family to whom~~
22 ~~a SCFL was transferred pursuant to subdivision (3) of this subsection, to a~~
23 ~~third party purchaser of the deceased licensee's fishing vessel.~~

24 ~~(5) A licensee who is retiring from commercial fishing, to a third party purchaser~~
25 ~~of the licensee's fishing vessel.~~

26 (h) Identification as Commercial Fisherman. – The receipt of a current and valid SCFL
27 or shellfish license issued by the Division shall serve as proper identification of the licensee as a
28 commercial fisherman.

29 (i) Record-Keeping Requirements. – The fish dealer shall record each transaction at the
30 time and place of landing on a form provided by the Division. The transaction form shall include
31 the information on the SCFL or shellfish license, the quantity of the fish, the identity of the fish
32 dealer, and other information as the Division deems necessary to accomplish the purposes of this
33 Subchapter. The person who records the transaction shall provide a completed copy of the
34 transaction form to the Division and to the other party of the transaction. The Division's copy of
35 each transaction form shall be transmitted to the Division by the fish dealer on or before the tenth
36 day of the month following the transaction.

37 (i1) Additional Record-Keeping Requirements for Certain Other Takings. – Persons
38 licensed under this section shall report to the Division and on a form provided by the Division
39 information substantially similar to that required in subsection (i) of this section regarding takings
40 of fish that are taken by the person but not sold to a licensed dealer because the fish are used for
41 personal consumption or are donated by the person for charitable use.

42 (j) Conversion to Heritage Standard Commercial Fishing License. – A person holding
43 an SCFL, or an administrator or executor to whom an SCFL was transferred pursuant to
44 subsection (g) of this section may, upon filing notice and such other information as the Division
45 may require, request that an SCFL be converted to an HSCFL. The Division shall classify an
46 HSCFL as a separate class of inactive SCFL that the Division shall maintain and account for
47 separately from the pool of inactive licenses managed by the Division. The annual fee for an
48 HSCFL is one hundred dollars (\$100.00). The Division will terminate the HSCFL and the right
49 to reconvert the HSCFL to an SCFL if the HSCFL is not timely renewed or 10 years after the
50 original issuance of the HSCFL was originally converted from an SCFL if it has not been
51 reconverted under subsection (k) of this section.

1 (k) Reconversion of HSCFL to SCFL. – The HSCFL may be reconverted as an SCFL by
2 a member of the immediate family of the person holding the SCFL at the time it was converted
3 to an HSCFL. The reconverted SCFL issued under this subsection shall not be subject to
4 procedures adopted by the Commission and the Division for issuance of SCFLs from the pool of
5 inactive licenses. The reconverted SCFL shall not be subject to any eligibility requirements for
6 renewal of an SCFL other than payment of the renewal fee for a period of five years following
7 reconversion.

8 **"§ 113-168.3. Retired Standard Commercial Fishing License.**

9 (a) SCFL Provisions Applicable. – Except as provided in this section, the provisions set
10 forth in this Article concerning the SCFL shall apply to the RSCFL.

11 (b) Eligibility; Fees. – Any individual who is 65 years of age or older and who is eligible
12 for a SCFL under G.S. 113-168.2 may apply for either a SCFL or RSCFL. An applicant for a
13 RSCFL shall provide proof of age at the time the application is made. The annual fee for a RSCFL
14 for a resident of this State shall be ~~two hundred dollars (\$200.00)~~ four hundred dollars (\$400.00).
15 The annual fee for a RSCFL for a person who is not a resident of this State shall be ~~two hundred~~
16 ~~sixty dollars (\$260.00)~~ five hundred twenty dollars (\$520.00). For purposes of this subsection,
17 a "resident of this State" is a person who is a resident within the meaning of:

18 (1) Sub-subdivisions a. through d. of G.S. 113-130(4) and who filed a State
19 income tax return as a resident of North Carolina for the previous calendar or
20 tax year, or

21 (2) G.S. 113-130(4)e.

22 (c) Transfer. – The holder of a RSCFL may transfer the RSCFL as provided in
23 G.S. 113-168.2.

24 (1) If the transferee is less than 65 years of age, the transferee holds a SCFL.
25 When the transferee renews the SCFL, the transferee shall pay the fee set out
26 in G.S. 113-168.2.

27 (2) If the transferee is 65 years of age or older, the transferee may elect to hold
28 either a SCFL or RSCFL. If the transferee elects to hold a SCFL, the transferee
29 shall pay the fee set out in G.S. 113-168.2. If the transferee elects to hold a
30 RSCFL, the transferee shall pay the fee set out in this section.

31 (d) Assignment. – The RSCFL shall not be assignable.

32 **"§ 113-168.3B. Commercial Fishing Crew License.**

33 (a) Eligibility. – A person serving on the crew of a vessel engaged in a commercial fishing
34 operation under the direction of a person who holds a valid SCFL may apply for a CFCL.

35 (b) Fee. – The annual fee for a CFCL for a resident of this State shall be one hundred
36 dollars (\$100.00). The annual fee for a CFCL for a person who is not a resident of this State shall
37 be one hundred thirty dollars (\$130.00).

38 (c) Eligibility for CRFL. – A person holding a CFCL shall be eligible to apply for an
39 SCFL without meeting any other eligibility requirements set by the Commission for a new SCFL
40 license after maintaining a CFCL for three consecutive years.

41 **"§ 113-168.4. Sale of fish.**

42 (a) Except as otherwise provided in this section, it is unlawful for any person who takes
43 or lands any species of fish under the authority of the Commission from coastal fishing waters
44 by any means whatever, including mariculture operations, to sell, offer for sale, barter or
45 exchange these fish for anything of value without holding a license required to sell the type of
46 fish being offered.

47 (b) Except as otherwise provided in this section, it is unlawful for any person licensed
48 under this Article to sell fish taken outside the territorial waters of the State or to sell fish taken
49 from coastal fishing waters. A person licensed under this Article may sell fish taken outside the
50 territorial waters of the State or sell fish taken from coastal fishing waters under any of the
51 following circumstances:

- 1 (1) The sale is to a fish dealer licensed under G.S. 113-169.3.
- 2 (2) The sale is to the public and the seller is a licensed fish dealer under
- 3 G.S. 113-169.3.
- 4 (3) The sale is of oysters or clams from a hatchery or aquaculture operation to the
- 5 holder of an Aquaculture Operation Permit, an Under Dock Culture Permit,
- 6 or a shellfish cultivation lease for further grow out.

7 (c) A person who organizes a recreational fishing tournament may sell fish taken in
8 connection with the tournament pursuant to a recreational fishing tournament license to sell fish.
9 A person who organizes a recreational fishing tournament may obtain a recreational fishing
10 tournament license to sell fish upon application to the Division and payment of a fee of one
11 hundred twenty-five dollars (\$125.00). It is unlawful for any person licensed under this
12 subsection to sell fish to any person other than a fish dealer licensed under G.S. 113-169.3 unless
13 the seller is also a licensed fish dealer. A recreational fishing tournament is an organized fishing
14 competition occurring within a specified time period not to exceed one week and that is not a
15 commercial fishing operation. Gross proceeds from the sale of fish may be used only for
16 charitable, religious, educational, civic, or conservation purposes and shall not be used to pay
17 tournament expenses. The organizer of a reportable recreational fishing tournament shall comply
18 with the reporting requirements set forth in G.S. 168.2(i1) with respect to fish caught during the
19 tournament. For purposes of this subsection, a reportable recreational fishing tournament is
20 defined as any organized fishing event where participants pay an entry fee, other than the North
21 Carolina Governor's Cup Saltwater Fishing Tournament."

22 **SECTION 1.1.(b)** G.S. 113-168.2 is amended by adding a new subsection to read:

23 "(a2) Eligibility. – In order to be eligible to renew an SCFL, the holder must demonstrate a
24 minimum level of participation in fisheries of the State through demonstration in a form and
25 manner satisfactory to the Division of any of the following in two out of the five continuous
26 fiscal years preceding the expiration date of the SCFL:

27 (1) Landings of at least 1,000 pounds of seafood products during the year from
28 coastal fishing waters.

29 (2) Fifteen trips for which a trip ticket was completed during the year."

30 **SECTION 1.1.(c)** The Division shall adopt temporary and permanent rules to
31 implement the requirements of this section.

32 **SECTION 1.1.(d)** Subsections (b) and (c) of this section become effective June 30,
33 2022, and apply to all SCFLs expiring on or after that date. The rest of this section becomes
34 effective October 1, 2019.

35 **SECTION 1.2.** The Marine Fisheries Commission and the Division of Marine
36 Fisheries shall develop a plan to expand opportunities for commercial fishermen for access to
37 and harvest of commercial fisheries. In creating the plan, the Commission and the Division shall
38 consider extension of fishing seasons, higher trip limits, authorization of hook and line as an
39 allowable gear for all species, and other measures that the Commission and Division find would
40 meet the purposes for the plan set forth in this section.

41 **ELIGIBILITY POOL REFORMS**

42 **SECTION 2.1.(a)** Section 5.2 of S.L. 1997-400, as amended by Section 4.24 of S.L.
43 1998-225, reads as rewritten:

44 **"SECTION 5.2.(a)** Definitions; Citations. The definitions set out in G.S. 113-168 apply to
45 this section. A citation to a provision of the General Statutes in this section means that provision
46 of the General Statutes as enacted by this act.

47 (b) Transitional Provisions. In order to effect an orderly implementation of this Part and
48 the transition from the moratorium imposed by subsection (a) of Section 3 of Chapter 576 of the
49 1993 Session Laws, Regular Session 1994, as amended by Section 3 of Chapter 675 of the 1993
50 Session Laws, Regular Session 1994; subsection (a) of Section 26.5 of Chapter 507 of the 1995
51 Session Laws, Regular Session 1994;

1 Session Laws; Section 7 of S.L. 1997-256; Section 3 of S.L. 1997-347; and Section 6.1 of this
2 act, to the licensing provision of Article 14A of Chapter 113 of the General Statutes, the
3 provisions of this section shall apply to the issuance of licenses under Article 14A of Chapter
4 113 of the General Statutes until all Fishery Management Plans have been adopted as required
5 by G.S. 113-182.1 and G.S. 143B-289.22.

6 (c) ~~Temporary Cap.~~ There is hereby imposed a ~~temporary~~ cap on the total number of
7 SCFLs that the Division may issue. The ~~temporary~~ cap equals the ~~total number of endorsements~~
8 ~~to sell fish that establish eligibility for a SCFL under subsection (g) of this section~~ number of
9 SCFLs active on June 30, 2018, plus 500-100 additional SCFLs, authorized by subsection (d) of
10 this section. SCFLs.

11 (d) ~~1999-2000 License Year.~~ For the ~~1999-2000~~ license year, the Commission is
12 authorized to issue SCFLs as provided in subsection (g) of this section plus an additional 500
13 SCFLs using the procedure set out in subsection (h) of this section.

14 (e) Subsequent License Years. For license years beginning with the ~~2000-01~~ 2018-2019
15 license year, the Commission is authorized to issue SCFLs from the pool of available SCFLs as
16 provided in subsection (f) of this section using the procedure set out in subsection (h) of this
17 section.

18 (f) Adjustment of Number of SCFLs. The number of SCFLs in the pool of available
19 SCFLs in license years beginning with the ~~2000-01~~ 2018-2019 license year is the ~~temporary~~ cap
20 set under subsection (c) of this section less the number of SCFLs that were issued and renewed
21 during the previous license year. Licenses that are not renewed will go into a pool of inactive
22 SCFLs (the Inactive Pool). Licenses that are suspended or revoked, as well as the additional 100
23 SCFLs authorized under subsection (c) of this section, will go into the pool of available SCFLs
24 (the Availability Pool). SCFLs in the Inactive Pool may be reactivated by the person holding the
25 SCFL prior to it becoming inactive for a period of two years. If the SCFL has not been reactivated
26 within two years, the Division will transfer it into the Availability Pool. The Commission may
27 ~~increase or decrease~~ determine the number of SCFLs that are issued from the ~~pool of available~~
28 ~~SCFLs.~~ Availability Pool. The Commission may increase the number of SCFLs that are issued
29 from the ~~pool of available SCFLs~~ Availability Pool up to the ~~temporary~~ cap. cap set under
30 subsection (c) of this section. The Commission may decrease the number of SCFLs that are issued
31 from the pool of available SCFLs but may not refuse to renew a SCFL that is issued during the
32 previous license year and that has not been suspended or revoked. The Commission shall increase
33 or decrease the number of SCFLs that are issued to reflect its determination as to the effort that
34 the fishery can support, based on the best available scientific evidence.

35 (g) ~~Eligibility for SCFL.~~ Any person who holds a valid endorsement to sell fish of a vessel
36 license on 30 June 1999 is eligible to receive a SCFL. Any person who holds a valid nonvessel
37 endorsement to sell fish, other than a nonvessel endorsement to sell fish issued for an aquaculture
38 operation or a fishing tournament, on 30 June 1999 is eligible to receive a SCFL. The Division
39 shall issue a SCFL to any person who is eligible under this subsection upon receipt of an
40 application and required fees. If the person held more than one endorsement to sell fish, the
41 person is eligible to receive a SCFL for each endorsement to sell previously held. Eligibility to
42 receive a SCFL under this subsection shall expire 30 June 2000.

43 (h) Procedure for Issuing Additional SCFLs. The Commission shall determine a
44 procedure for issuing the ~~500 additional SCFLs authorized by subsection (d) of this section for~~
45 ~~the 1999-2000 license year and for issuing SCFLs from the pool of available SCFLs authorized~~
46 ~~by subsection (e) of this section.~~ Availability Pool. The procedure shall set a date on which the
47 Division will begin receiving applications and a date on which the determination by lot of which
48 applicants will receive a SCFL will be made. The Commission shall set aside 100 licenses from
49 the Availability Pool for an apprenticeship program. This program will allow persons completing
50 a commercial fishing program offered by a community college in the North Carolina Community
51 College System or a program in another state that the Division determines to be equivalent to the

1 programs offered in this State to obtain an SCFL and be temporarily exempt from other criteria
2 imposed under this subsection for a time period determined by the Commission.

3 The Commission shall develop criteria to be used by the SCFL Eligibility Board in
4 determining eligibility for a SCFL ~~under this subsection.~~ the remaining SCFLs in the Availability
5 Pool. Criteria shall include the past involvement of the applicant and the applicant's family in
6 commercial fishing; the extent to which the applicant has relied on commercial fishing for the
7 applicant's livelihood; the extent to which the applicant has complied with federal and State laws,
8 regulations, and rules relating to coastal fishing and protection of the environment; and any other
9 factors the Commission determines to be relevant. The SCFL Eligibility Board shall review each
10 application for a SCFL that the Division receives during the application period to determine
11 whether the applicant is eligible for a SCFL under the eligibility criteria established by the
12 Commission. The Division shall issue SCFLs under this subsection by lot. All applicants who
13 are determined to be eligible shall have an equal chance of being issued a SCFL.

14 (i) SCFL Eligibility Board. There is established a SCFL Eligibility Board. The Board
15 shall apply the eligibility criteria adopted by the Commission to determine whether an applicant
16 for a SCFL is eligible for a SCFL under subsection (h) of this section. The Board shall consist of
17 the Secretary of ~~Environment and Natural Resources~~ Environmental Quality or the Secretary's
18 designee, the Fisheries Director or the Director's designee, and the Chair of the Commission or
19 the Chair's designee. The Secretary shall designate one member of the Board to serve as Chair of
20 the Board. The Commission shall adopt rules to govern the operation of the Board. The Board is
21 exempt from the provisions of Article 3 of Chapter 150B of the General Statutes. Decisions of
22 the Board shall be subject to judicial review under the provisions of Article 4 of Chapter 150B
23 of the General Statutes."

24 **SECTION 2.1.(b)** This section becomes effective June 30, 2019.

25 **REPEAL RCGL AND ADJUST CRFL ALLOWABLE GEAR**

26 **SECTION 3.1.(a)** G.S. 113-173, 113-168(6), 113-173.1(a)(6), and 113-174(4)c. are
27 repealed.

28 **SECTION 3.1.(b)** G.S. 113-168.1(a) reads as rewritten:

29 "(a) Duration, Fees. – ~~Except as provided in G.S. 113-173(f), all~~ All licenses and
30 endorsements issued under this Article expire on the last day of the license year. An applicant
31 for any license or endorsement shall pay the full annual fee at the time the applicant applies for
32 the license or endorsement regardless of when application is made."

33 **SECTION 3.1.(c)** This section becomes effective June 30, 2019.

34 **SECTION 3.2.(a)** G.S. 113-174.2 is amended by adding a new subsection to read:

35 "(e) Authorized Gear. – The Commission shall adopt rules allowing persons holding a
36 CRFL to use bait seines and up to five crab pots to take fish for recreational purposes."

37 **SECTION 3.2.(b)** The Marine Fisheries Commission may adopt temporary rules to
38 implement the requirements of this section.

39 **ALIGN CRFL AND WRC INLAND FISHING LICENSE FEES**

40 **SECTION 4.1.(a)** G.S. 113-174.2(c) reads as rewritten:

41 "(c) Types of CRFLs; Fees; Duration. – The Wildlife Resources Commission shall issue
42 the following CRFLs:

43 (1) Annual Resident CRFL. – ~~\$15.00.~~ \$20.00. This license is valid from the date
44 of issue for a period of 12 months as defined by G.S. 113-270.1B(b) and
45 G.S. 113-270.1B(c). This license shall be issued only to an individual who is
46 a resident of the State.

47 (1a) Annual Nonresident CRFL. – ~~\$30.00.~~ \$36.00. This license is valid from the
48 date of issue for a period of 12 months as defined by G.S. 113-270.1B(b) and
49
50

- 1 G.S. 113-270.1B(c). This license shall be issued only to an individual who is
- 2 not a resident of the State.
- 3 (4) Ten-Day Resident CRFL. – ~~\$5.00.~~ \$7.00. This license is valid for a period of
- 4 10 consecutive days, as indicated on the license. This license shall be issued
- 5 only to an individual who is a resident of the State.
- 6 (4a) Ten-Day Nonresident CRFL. – ~~\$10.00.~~ \$18.00. This license is valid for a
- 7 period of 10 consecutive days, as indicated on the license. This license shall
- 8 be issued only to an individual who is not a resident of the State.
- 9"
- 10 **SECTION 4.2.(b)** This section becomes effective October 1, 2019.

11 **SEVERABILITY CLAUSE AND EFFECTIVE DATE**

- 12 **SECTION 5.(a)** If any section or provision of this act is declared unconstitutional or
- 13 invalid by the courts, it does not affect the validity of this act as a whole or any part other than
- 14 the part declared to be unconstitutional or invalid.
- 15 **SECTION 5.(b)** Except as otherwise provided, this act is effective when it becomes
- 16 law.
- 17