

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

2

HOUSE BILL 49
Committee Substitute Favorable 3/12/19

Short Title: Responsible Deer Management Act.

(Public)

Sponsors:

Referred to:

February 13, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE PROCEDURE FOR OBTAINING A DEPREDATION PERMIT
3 FOR DEER AND TO IMPOSE A DUTY TO AVOID WANTON WASTE ON PERSONS
4 TAKING DEER DUE TO CROP DEPREDATION.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 113-274 reads as rewritten:

7 "§ 113-274. Permits.

8 ...

9 (c) The Wildlife Resources Commission may issue the following permits:

10 (1) Repealed by Session Laws 1979, c. 830, s. 1.

11 (1a) Depredation Permit. – Authorizes the taking, destruction, transfer, removal,
12 transplanting, or driving away of undesirable, harmful, predatory, excess, or
13 surplus wildlife or wildlife resources. Livestock or poultry owners shall be
14 issued a depredation permit for coyotes upon request. The permit must state
15 the manner of taking and the disposition of wildlife or wildlife resources
16 authorized or required and the time for which the permit is valid, plus other
17 restrictions that may be administratively imposed in accordance with rules of
18 the Wildlife Resources Commission. No depredation permit or any license is
19 needed for the a property owner or a lessee of property to take wildlife while
20 committing depredations who leases property for purposes of agriculture, as
21 defined in G.S. 106-581.1, to hunt upon the property, but daily and
22 season bag limits shall apply. A depredation permit issued under the
23 procedures set forth in this subdivision is required for taking more than the
24 daily or season bag limits of wildlife. Where a property owner or lessee of
25 property requests a depredation permit for deer, staff from the Wildlife
26 Resources Commission shall study the deer population on the property and
27 make an estimate of the number of deer that may reasonably be taken from
28 the property as a remedy for depredation. The permit shall include that number
29 as the taking limit for that property, and the limit shall apply to the owner and
30 any lessee of the property. Any owner or lessee who takes wildlife upon the
31 property shall notify the Wildlife Resources Commission within 24 hours
32 utilizing an electronic mail or Internet-based reporting process. The Wildlife
33 Resources Commission may regulate the manner of taking and the disposition
34 of wildlife taken without permit or license, including wildlife killed
35 accidentally by motor vehicle or in any other manner, and shall
36 impose a duty to avoid wanton waste on any owner or lessee of land with



* H 4 9 - V - 2 *

1 respect to deer taken on their property. For purposes of this subdivision,
2 "wanton waste" shall mean to kill or cripple a deer without making a
3 reasonable effort to retrieve and properly dispose of it, and to "properly
4 dispose" of a deer shall include donations of venison to food banks and other
5 nonprofit organizations but shall not include sales.

6 "

7 **SECTION 2.** This act becomes effective October 1, 2019. Notwithstanding
8 G.S. 150B-21.1, the Commission may adopt temporary rules to implement the provisions of this
9 act.