

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 49

Short Title: Responsible Deer Management Act. (Public)

Sponsors: Representatives Pittman and Sasser (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

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

February 13, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPOSE A DUTY TO AVOID WANTON WASTE ON PERSONS TAKING
3 WILDLIFE DUE TO CROP DEPREDATION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 113-274 reads as rewritten:
6 **"§ 113-274. Permits.**

7 ...

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

9 (1) Repealed by Session Laws 1979, c. 830, s. 1.

10 (1a) Depredation Permit. – Authorizes the taking, destruction, transfer, removal,
11 transplanting, or driving away of undesirable, harmful, predatory, excess, or
12 surplus wildlife or wildlife resources. Livestock or poultry owners shall be
13 issued a depredation permit for coyotes upon request. The permit must state
14 the manner of taking and the disposition of wildlife or wildlife resources
15 authorized or required and the time for which the permit is valid, plus other
16 restrictions that may be administratively imposed in accordance with rules of
17 the Wildlife Resources Commission. No depredation permit or any license is
18 needed for the owner or lessee of property to take wildlife while committing
19 depredations while hunting upon the property-property, but bag and season
20 limits will apply. A depredation permit issued under the procedures set forth
21 in this subdivision is required for taking more than the daily or season limits
22 of wildlife. Where a property owner or lessee of property requests a
23 depredation permit for deer, staff from the Wildlife Resources Commission
24 shall study the deer population on the property and make an estimate of the
25 number of deer that may reasonably be taken from the property as a remedy
26 for depredation. The permit shall include that number as the taking limit for
27 that property, and the limit will apply to the owner and any lessee of the
28 property. Any owner or lessee who takes wildlife upon the property will be
29 required to notify the Wildlife Resources Commission within 24 hours
30 utilizing an electronic mail or Internet-based reporting process. The Wildlife
31 Resources Commission may regulate the manner of taking and the disposition
32 of wildlife taken without permit or license, including wildlife killed
33 accidentally by motor vehicle or in any other manner-manner, and shall
34 impose a duty to avoid wanton waste on any owner or lessee of land with



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 issue temporary rules to implement the provisions of this
9 act.