

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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S.B. 834
PRINCIPAL CLERK

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SENATE BILL DRS55067-MHa-137E

Short Title: Invasive Species Control and Prevention. (Public)

Sponsors: Senators Smith and Batch (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE CONTROL AND PREVENTION OF INVASIVE SPECIES
3 IN NORTH CAROLINA.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** G.S. 113-129(10a) is recodified as G.S. 113-129(10b).

6 **SECTION 1.(b)** G.S. 113-129, as amended by subsection (a) of this section, is
7 amended by adding a new subdivision to read:

8 "(10a) Invasive species. – Any of the following:

- 9 a. Coyote (Canis latrans).
10 b. European starling (Sturnus vulgaris).
11 c. Feral swine (Sus scrofa).
12 d. Grass carp (Ctenopharyngodon idella).
13 e. Lionfish (Pterois volitans).
14 f. Nutria (Myocastor coypus).
15 g. Exotic species regulated by the Wildlife Resources Commission under
16 G.S. 113-292(d), and any other species not native to the State that the
17 Wildlife Resources Commission, in consultation with the Department
18 of Agriculture and Consumer Services, determines to be a threat to
19 native ecosystems, a threat to introduce epizotic diseases to native
20 species, or a risk to agriculture."

21 **SECTION 1.(c)** Article 22 of Chapter 113 of the General Statutes is amended by
22 adding two new sections to read:

23 "**§ 113-292.1. Control of invasive species.**

24 (a) Finding. – The General Assembly finds that invasive species present a significant
25 threat to ecosystems, agriculture, and private property across the State and that the hunting and
26 trapping of those species is a practical and cost-effective solution to controlling these populations.

27 (b) Commission to Adopt Rules. – The Wildlife Resources Commission shall issue rules
28 establishing open seasons and manner of take requirements in all 100 counties of the State for all
29 invasive species that the Commission determines to be game animals or game birds. Seasons
30 established under this subsection shall maximize opportunities for hunters and trappers to take
31 invasive species.

32 (c) Nongame Invasive Species. – With respect to invasive species that the Wildlife
33 Resources Commission finds are not game animals or game birds, the Commission shall develop
34 programs to encourage control of those species by State agencies, local governments, private
35 landowners, hunters, and trappers.



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1 (d) Local Acts in Conflict. – Any local acts in conflict with the provisions of this section
2 are repealed to the extent of the conflict.

3 **"§ 113-292.2. Invasive Species Management Fund.**

4 (a) Fund Established. – The Invasive Species Management Fund (Fund) is established as
5 a special revenue fund. The Fund consists of General Fund appropriations, gifts, grants, devises,
6 funds contributed by non-State entities, and any other revenues or receipts of the Wildlife
7 Resources Commission specifically allocated to the Fund by an act of the General Assembly.

8 (b) Uses of the Fund. – Revenue in the Fund may only be used for the following purposes:

9 (1) Activities to manage, control, and eradicate invasive species, including the
10 development of management, control, or eradication plans for particular
11 invasive species.

12 (2) Public education regarding the harms caused by invasive species. Funding of
13 public educational activities under this subdivision are limited to no more than
14 five hundred thousand dollars (\$500,000) in each fiscal year.

15 (3) The establishment of a Rapid Response Team (RRT) composed of
16 representatives of the Wildlife Resources Commission, the Department of
17 Agriculture and Consumer Services, and the Division of Marine Fisheries of
18 the Department of Environmental Quality. Upon a request from the Executive
19 Director of the Wildlife Resources Commission, the RRT shall evaluate the
20 information provided and the severity and risk level of the invasive species
21 discovered in the State and coordinate a response to address the immediate
22 needs for response, public notification, and education. Funding of the RRT is
23 limited to one million five hundred thousand dollars (\$1,500,000) in each
24 fiscal year.

25 (c) Emergency Funding Requests. – If the Commission determines that an introduction
26 of an invasive species to the State constitutes a significant threat to ecosystems, agriculture, and
27 private property across the State, the Commission may declare an invasive species emergency.
28 Upon declaration of the emergency, the Commission shall request needed additional funding for
29 immediate investigation, containment, and eradication of the outbreak from the Contingency and
30 Emergency Fund to the Council of State for approval following the process set forth in
31 G.S. 143C-4-4(c). The approved funds will be allocated by the State Controller to the Fund.

32 (d) Report. – The Commission shall report annually no later than October 1 regarding
33 activities completed or undertaken with financial support from the Fund to the Fiscal Research
34 Division and the Joint Legislative Oversight Committee on Agriculture and Natural and
35 Economic Resources. The report shall include activity type, activity location, brief description
36 of the activity, entity receiving the funding, and amount of funding provided."

37 **SECTION 2.** The sum of five million dollars (\$5,000,000) in recurring funds for the
38 2024-2025 fiscal year is appropriated from the General Fund to the Wildlife Resources
39 Commission, to be allocated to the Invasive Species Management Fund established by
40 G.S. 113-292.2, as enacted by Section 1 of this act.

41 **SECTION 3.** This act becomes effective July 1, 2024.