



HOUSE BILL 544: Limited Shark Fishing Tournament Moratorium.

2023-2024 General Assembly

Committee:		Date:	November 15, 2023
Introduced by:		Prepared by:	Kyle Evans Staff Attorney
Analysis of:	S.L. 2023-26		

OVERVIEW: *S.L. 2023-26 makes it unlawful for a person, between May 1 and October 31 of each year, to take sharks as part of a recreational fishing tournament where the person landing the shark is on the shore or on a structure attached to the shore of Carolina Beach, Caswell Beach, Holden Beach, Kure Beach, Oak Island, Ocean Isle Beach, Sunset Beach, or Bald Head Island.*

This act became effective July 1, 2023, and applies to offenses committed on or after that date.

CURRENT LAW & BILL ANALYSIS:

Article 15 of Chapter 113 of the General Statutes governs the regulation of coastal fisheries. Pursuant to G.S. 113-135, violations of the Article are punishable by a Class 3 misdemeanor.

S.L. 2023-26 makes it unlawful for a person, between May 1 and October 31 of each year, to take sharks as part of a recreational fishing tournament where the person landing the shark is on the shore or on a structure attached to the shore of Carolina Beach, Caswell Beach, Holden Beach, Kure Beach, Oak Island, Ocean Isle Beach, Sunset Beach, or Bald Head Island.

EFFECTIVE DATE: This act became effective July 1, 2023, and applies to offenses committed on or after that date.

BACKGROUND: In November 2018, the voters of this State approved an amendment to the North Carolina Constitution stating that the “right of the people to hunt, fish, and harvest wildlife is a valued part of the State's heritage and shall be forever preserved for the public good.” The amendment further provides that the right of the people to hunt, fish, and harvest wildlife is subject only to laws enacted by the General Assembly to (i) promote wildlife conservation and management and (ii) preserve the future of hunting and fishing. The amendment also included language that it did not modify any provision of law relating to trespass, property rights, or eminent domain. At this time, no appellate court decisions have been issued to interpret this Section of the Constitution.

Jeffrey Hudson
Director



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Legislative Analysis
Division
919-733-2578