



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 441

AMENDMENT NO. A3  
(to be filled in by  
Principal Clerk)

H441-ABR-55 [v.3]

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Amends Title [YES]  
Second Edition

Date \_\_\_\_\_, 2025

Senator Hanig

moves to amend the bill by rewriting the Short Title to read: "Shrimp Trawling Transition Program/Fees/Fines";

and on page 1, lines 5–6, by rewriting the lines to read:

"NET BETWEEN JANUARY 1, 2023, AND JUNE 30, 2025, TO INCREASE COASTAL FISHING LICENSE FEES, AND TO PROHIBIT THE DIVISION OF MARINE FISHERIES FROM ISSUING FINES UNTIL THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS STUDIES AND MAKES RECOMMENDATIONS ON REGULATION OF THE SHELLFISH AQUACULTURE INDUSTRY";

and on page 5, lines 40–46, by rewriting those lines to read:

**"PROHIBIT THE DIVISION OF MARINE FISHERIES FROM ISSUING FINES UNTIL THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS STUDIES AND MAKES RECOMMENDATIONS ON REGULATION OF THE SHELLFISH AQUACULTURE INDUSTRY"**

**SECTION 3.(a)** Fines Prohibited. – Notwithstanding any other provision of law, the Division of Marine Fisheries shall not issue any fines, penalties, or tickets until the Joint Legislative Commission on Governmental Operations (Gov Ops) delivers to the General Assembly the study directed by subsection (b) of this section no later than May 1, 2026, as directed by subsection (d) of this section.

**SECTION 3.(b)** Study. – Gov Ops shall conduct a comprehensive study on shellfish aquaculture regulations to ensure a balanced approach between economic development, environmental protection, and public access to coastal waters. The study shall evaluate all of the following:

- (1) The effectiveness of existing regulations and permitting governing shellfish aquaculture leases.
- (2) The history and policy bases for current permanent and temporary moratoriums and whether to lift or modify existing moratoriums or enact additional moratoriums on shellfish aquaculture leases.
- (3) Best practices from other states for managing shellfish aquaculture.



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- (4) The economic impact of shellfish aquaculture expansion on coastal economies and tourism.
- (5) Potential and actual conflicts between shellfish aquaculture operations and private property values, commercial or recreational fishing, boating, and other coastal land and water uses.
- (6) Environmental considerations, including water quality, seagrass protection, and marine habitat impacts due to the presence or absence of shellfish aquaculture in various coastal habitats.
- (7) Regulatory, permitting, and environmental impact differences between bottom and column leases.
- (8) The role of local governments in shellfish aquaculture leases located in or adjacent to their jurisdictions.
- (9) Recommendations for a statewide framework on the regulation and permitting of shellfish aquaculture that benefits the industry and the State while mitigating conflicts with users of public trust waters.

**SECTION 3.(c)** Required Consultations. – In conducting its study, Gov Ops shall consult with the North Carolina Division of Marine Fisheries, the Marine Fisheries Commission, and other stakeholders, including shellfish growers, commercial and recreational fishermen, property owners, and coastal area local governments.

**SECTION 3.(d)** Report. – Gov Ops shall submit an interim report with preliminary findings to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources no later than December 1, 2025, and a final report, including any recommendations for legislative or regulatory changes, by May 1, 2026.

**SECTION 3.(e)** Effective Date. – If House Bill 442, 2025 Regular Session, becomes law, then this section becomes effective July 1, 2025, and applies to acts committed on or after that date.

**SEVERABILITY & EFFECTIVE DATE**

**SECTION 4.(a)** If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application and, to this end, the provisions of this act are declared to be severable.

**SECTION 4.(b)** Effective Date. – Except as otherwise provided, this act is effective when it becomes law."

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SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_