



SENATE BILL 513: North Carolina Farm Act of 2015, Sec. 35: Wildlife Search and Seizure Modifications

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: Sec. 35 of S.L. 2015-263

Date:

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Staff Attorney

SUMMARY: *Sec. 35 of S.L. 2015-263 provides that a wildlife inspector, protector, or other law enforcement officer may not inspect weapons or equipment possessed incident to an activity under the officer's jurisdiction unless the officer has a reasonable suspicion that a violation has been committed, except to check whether a shotgun is plugged or unplugged. This section provides that it is unlawful to refuse to allow inspectors, protectors, or other law enforcement officers to inspect fish or wildlife for the purpose of ensuring compliance with bag limits and size limits. This section also prohibits officers from inspecting weapons, equipment, fish, or wildlife in the absence of a person in apparent control of the item to be inspected, with some exceptions.*

This section directs the Wildlife Resources Commission (WRC) to report to the Joint Legislative Oversight Committee on Justice and Public Safety by March 1, 2016, and annually thereafter, on the number of complaints received against WRC officers, the subject matter of the complaints, and the geographic areas in which the complaints were filed.

The provisions of this section amending the law on search and seizure by wildlife inspectors, protectors, or other law enforcement officers became effective December 1, 2015, and apply to offenses committed on or after that date. The remainder of this section became effective September 30, 2015.

O. Walker Reagan
Director



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