



# SENATE BILL 647: Amend Trapping Law

2015-2016 General Assembly

<b>Committee:</b>	Senate Agriculture/Environment/Natural Resources	<b>Date:</b>	April 22, 2015
<b>Introduced by:</b>	Sens. Sanderson, B. Jackson	<b>Prepared by:</b>	Chris Saunders Committee Counsel
<b>Analysis of:</b>	PCS to First Edition S647-CSTQ-12		

**SUMMARY:** *Senate Bill 647 would amend the laws governing trapping to allow conibear-type traps to be set on dry land only under specific conditions, and to require a trapper education course for licensed trappers.*

**CURRENT LAW:** G.S. 113-291.6 regulates the trapping of wild animals. The statute prohibits trapping on the land of another without having written permission from the landowner and prevents an animal from being taken by trapping with any steel-jaw, leg hold, or conibear-type trap unless certain conditions are met.

With regard to conibear traps, the statute provides that no one may take wild animals by such a trap unless it: (1) has a jaw spread of not more than 7.5 inches; (2) is horizontally offset with closed jaw spread of at least 3/16 of an inch for a trap with a jaw spread of more than 5.5 inches (except if the trap is set in the water with quick-drown type of set); (3) is smooth edged and without teeth or spikes; and (4) has a weather-resistant permanent tag attached legibly giving the trapper's name and address. **In addition, such traps with an inside jaw spread or opening (width or height) greater than seven and one-half inches and no larger than 26 inches in width and 12 inches in height may only be set in the water and in areas in which beaver and otter may be lawfully trapped.**

A person who violates G.S. 113-291.6 is guilty of a Class 2 misdemeanor<sup>1</sup>.

**BACKGROUND:** Body-gripping traps are designed to kill animals quickly. They are often called "conibear" traps after Canadian inventor Frank Conibear, who began their manufacture in the late 1950s. Animals that are caught squarely on the neck by such a trap are killed quickly, and are therefore not left to suffer or given a chance to escape.

**BILL ANALYSIS:** Senate Bill 647 would amend the laws governing conibear traps to:

- Prohibit "bucket sets."
- Provide that conibear type traps set with bait and having an inside jaw spread or opening (width or height) greater than 5.5 inches and no more than 7.5 inches may be set on dry land only under the following restrictions:

<sup>1</sup> The presumptive range of punishment for a Class 2 misdemeanor when there are no prior convictions is 1 to 30 days of community punishment.

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- (1) Within an enclosure approved by the rules of the North Carolina Wildlife Resources Commission (Commission) subject to the following minimum requirements: no openings on the enclosure may exceed 60 square inches, the trap trigger must be recessed at least 8 inches from all openings, and the top surface of the enclosure entrance must include an overhang such that the trigger recess distance and the overhang distance are no less than 12 inches in combination.
- Provide that conibear type traps set without an enclosure as previously described and without bait may be set on dry land only under the following restrictions:
  - (1) On public lands (i) traps having an inside jaw spread or opening (width or height) greater than 5.5 inches and no more than 6.5 inches must be set such that the top of the trap is at least 4 feet above the ground.
  - (2) On private lands (i) traps may not have an inside jaw spread or opening (width or height) greater than 6.5 inches or (ii) traps having an inside jaw spread or opening (width or height) no more than 7.5 inches may be set in buildings and structures or as authorized by a depredation permit issued by the Commission.

In addition, the bill would:

- Provide that individuals receiving a trapping license from the Commission after October 1, 2016, must complete a trapper education course approved by the Commission.
- Direct the Commission to adopt rules requiring the reporting of domestic animals taken by trapping.

**EFFECTIVE DATE:** This bill would be effective December 1, 2015, and apply to offenses committed on or after that date.