



HOUSE BILL 544: Limited Shark Fishing Tournament Moratorium.

2023-2024 General Assembly

Committee: Senate State and Local Government. If **Date:** May 23, 2023
favorable, re-refer to Rules and Operations of
the Senate

Introduced by: Rep. Miller

Prepared by: Billy R. Godwin

Analysis of: Second Edition

Staff Attorney

OVERVIEW: House Bill 544 would make 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.

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.

House Bill 544 would make 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 would be 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 it is 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.

Staff Attorney Kyle Evans of the Legislative Analysis Division substantially contributed to this summary.

Jeffrey Hudson
Director



* H 5 4 4 - S M B D - 3 1 E 2 - V - 4 *

Legislative Analysis
Division
919-733-2578