

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 30
Judiciary I Committee Substitute Adopted 3/14/01

Short Title: Outlaw Taking of Sea Oats.

(Public)

Sponsors:

Referred to:

February 5, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE IT UNLAWFUL TO TAKE SEA OATS.
3 The General Assembly of North Carolina enacts:

4 SECTION 1. G.S. 14-129 reads as rewritten:
5 "§ 14-129. Taking, etc., of certain wild plants from land of another.

6 No person, firm or corporation shall dig up, pull up or take from the land of another
7 or from any public domain, the whole or any part of any Venus flytrap (*Dionaea*
8 *muscipula*), trailing arbutus, Aaron's Rod (*Thermopsis caroliniana*), Bird-foot Violet
9 (*Viola pedata*), Bloodroot (*Sanguinaria canadensis*), Blue Dogbane (*Amsonia*
10 *tabernaemontana*), Cardinal-flower (*Lobelia cardinalis*), Columbine (*Aquilegia*
11 *canadensis*), Dutchman's Breeches (*Dicentra cucullaria*), Maidenhair Fern (*Adiantum*
12 *pedatum*), Walking Fern (*Camptosorus rhizophyllus*), Gentians (*Gentiana*), Ginseng
13 (*Panax quinquefolium*), Ground Cedar, Running Cedar, Hepatica (*Hepatica americana*
14 and *acutiloba*), Jack-in-the-Pulpit (*Arisaema triphyllum*), Lily (*Lilium*), Lupine
15 (*Lupinus*), Monkshood (*Aconitum uncinatum* and *reclinatum*), May Apple
16 (*Podophyllum peltatum*), Orchids (all species), Pitcher Plant (*Sarracenia*), ~~Sea Oats~~
17 (~~*Uniola paniculata*~~), Shooting Star (*Dodecatheon meadia*), Oconee Bells (*Shortia*
18 *galacifolia*), Solomon's Seal (*Polygonatum*), Trailing Christmas (*Greens-Lycopodium*),
19 Trillium (*Trillium*), Virginia Bluebells (*Mertensia virginica*), and Fringe Tree
20 (*Chionanthus virginicus*), American holly, white pine, red cedar, hemlock or other
21 coniferous trees, or any flowering dogwood, any mountain laurel, any rhododendron, or
22 any ground pine, or any Christmas greens, or any Judas tree, or any leucothea, or any
23 azalea, without having in his possession a permit to dig up, pull up or take such plants,
24 signed by the owner of such land, or by his duly authorized agent. Any person convicted
25 of violating the provisions of this section shall be guilty of a Class 3 misdemeanor only
26 punished by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars
27 (\$50.00) for each offense. The provisions of this section shall not apply to the Counties
28 of Cabarrus, Carteret, Catawba, Cherokee, Chowan, Cumberland, Currituck, Dare,

1 Duplin, Edgecombe, Franklin, Gaston, Granville, Hertford, McDowell, Pamlico,
2 Pender, Person, Richmond, Rockingham, Rowan and Swain."

3 **SECTION 2.** Article 22 of Chapter 14 of the General Statutes is amended by
4 adding a new section to read:

5 "**§ 14-129.2. Unlawful to take sea oats.**

6 (a) It is unlawful to dig up, pull up, or take from the land of another or from any
7 public domain the whole or any part of any Sea Oats (Uniola paniculata) without the
8 consent of the owner of that land.

9 (b) Any person convicted of violating the provisions of this section shall be
10 guilty of a Class 3 misdemeanor and shall be punished by a fine of not less than twenty-
11 five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense."

12 **SECTION 3.** This act becomes effective December 1, 2001, and applies to
13 offenses committed on or after that date.