

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 66
Committee Substitute Favorable 2/6/13

Short Title: Captivity License and Permit Amendments.-AB

(Public)

Sponsors:

Referred to:

February 5, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAW PROVIDING FOR THE ISSUANCE OF CAPTIVITY
3 LICENSES AND PERMITS BY THE WILDLIFE RESOURCES COMMISSION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 113-272.5(a) reads as rewritten:

6 "(a) In the interests of humane treatment of wild animals and wild birds that are lawfully
7 taken, crippled, tame, or ~~otherwise~~ unfit for immediate release into their natural habitat, the
8 Wildlife Resources Commission may license qualified individuals to hold at a specified
9 location one or more of any particular species of wild animal or wild bird alive in ~~captivity~~-
10 captivity for scientific, educational, exhibition, or other purposes. Before issuing this license,
11 the Executive Director must satisfy himself that issuance of the license is appropriate under the
12 objectives of this Subchapter, and that the wild animal or wild bird was not acquired unlawfully
13 or merely as a pet. Upon refusing to issue the captivity license, the Executive Director may
14 either take possession of the wild animal or wild bird for appropriate disposition or issue a
15 captivity permit under G.S. 113-274(c)(1b) for a limited period until the holder makes proper
16 disposition of the wild animal or wild bird."

17 **SECTION 2.** G.S. 113-274(c) reads as rewritten:

18 "(c) The Wildlife Resources Commission may issue the following permits:

19 ...

20 (1b) Captivity Permit. – Authorizes the possession of live wildlife that may
21 lawfully be permitted to be retained alive, in accordance with governing
22 rules of the Wildlife Resources Commission. This permit may not substitute
23 for any required collection license or captivity license, but may be
24 temporarily issued for possession of wild animals or wild birds for scientific,
25 educational, exhibition, or other purposes pending action on a captivity
26 license or following its denial or termination. If this permit is issued for fish
27 to be held indefinitely, the Wildlife Resources Commission may provide for
28 periodic renewals of the permit, at least once each three years, to insure a
29 review of the circumstances and conditions under which fish are kept. Wild
30 animals and wild birds kept temporarily in captivity under this permit must
31 be humanely treated and in accordance with any stipulations in the permit,
32 but the standards of caging and care applicable to species kept under the
33 captivity license do not apply unless specified in the permit. Any substantial
34 deviation from reasonable requirements imposed by rule or administratively
35 under the authority of this section renders the possession of the wildlife
36 unlawful.



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SECTION 3. This act is effective when it becomes law.