

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 936
Apr 11, 2013
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH80295-LLf-153A (03/28)

Short Title: Wildlife Poacher Reward Fund. (Public)

Sponsors: Representatives Wray, Faircloth, Moffitt, and J. Bell (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A WILDLIFE POACHER REWARD FUND TO PAY REWARDS TO PERSONS WHO GIVE INFORMATION TO LAW ENFORCEMENT AUTHORITIES THAT RESULTS IN THE ARREST AND CONVICTION OF PERSONS WHO COMMIT SERIOUS WILDLIFE VIOLATIONS AND TO AUTHORIZE THE USE OF COMPENSATION PAID TO THE WILDLIFE RESOURCES COMMISSION AS CONDITIONS OF OFFENDERS' PROBATION AS ASSETS OF THE FUND.

The General Assembly of North Carolina enacts:

SECTION 1. Article 22 of Chapter 113 of the General Statutes is amended by adding a new section to read:

"§ 113-294.1. Wildlife Poacher Reward Fund.

(a) There is established in the Office of the State Treasurer the Wildlife Poacher Reward Fund. Monies in the Fund shall be used to pay rewards to persons who provide information to the Wildlife Resources Commission or to law enforcement authorities that results in the arrest and conviction of persons who have committed criminal offenses involving the taking, injury, removal, damage, or destruction of wildlife resources. The Wildlife Resources Commission shall establish rules for the administration of the Fund for these purposes.

(b) The assets of the Wildlife Poacher Reward Fund shall be derived from the following:

- (1) A percentage of the compensation paid annually to the Commission as special conditions of offenders' probation in criminal cases involving the taking, injury, removal, damage, or destruction of wildlife pursuant to G.S. 15A-1343(b1)(5), to be set by the Commission at not less than ten percent (10%) of those amounts paid as replacement costs and investigative costs.
- (2) All amounts paid to the Commission under G.S. 15A-1343(b1)(5) as compensation for rewards paid from the Fund.
- (3) The proceeds of any gifts, grants, and contributions to the State which are specifically designated for inclusion in the Fund.
- (4) Any other sources specified by law."

SECTION 2. G.S. 15A-1343(b1) reads as rewritten:

"(b1) Special Conditions. – In addition to the regular conditions of probation specified in subsection (b), the court may, as a condition of probation, require that during the probation the defendant comply with one or more of the following special conditions:

...



* D R H 8 0 2 9 5 - L L F - 1 5 3 A *

1 (5) Compensate the Department of Environment and Natural Resources or the
2 North Carolina Wildlife Resources Commission, as the case may be, for the
3 replacement costs of any marine and estuarine resources or any wildlife
4 resources which were taken, injured, removed, harmfully altered, damaged
5 or destroyed as a result of a criminal offense of which the defendant was
6 convicted. If any investigation is required by officers or agents of the
7 Department of Environment and Natural Resources or the Wildlife
8 Resources Commission in determining the extent of the destruction of
9 resources involved, the court may include compensation of the agency for
10 investigative costs as a condition of probation. The court may also include,
11 as a condition of probation, compensation of an agency for any reward paid
12 for information leading to the arrest and conviction of the offender. This
13 subdivision does not apply in any case governed by G.S. 143-215.3(a)(7).

14"

15 **SECTION 3.** Section 2 of this act becomes effective December 1, 2013, and
16 applies to persons placed on probation on or after that date. The remainder of this act becomes
17 effective July 1, 2013.