



CHAPTER 113
ARTICLE 16A - MARINE AQUACULTURE

N.C.G.S. § 113-218.

(Effective until December 1, 2026)
Protection of private marine aquaculture
rights.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 01:59 UTC	bc8e0539b3e28625dba61d6f - adce71d9e2da7b6c4c08a487 - 4a29299a9bc027f9

It is unlawful for any person, other than the holder of a lease issued under this Article, to take or attempt to take marine species being produced under the license and associated lease from any privately leased, franchised, or deeded marine aquaculture operation without written authorization of the holder and with actual knowledge it is a marine aquaculture leased area. Actual knowledge will be presumed when the marine species are taken or attempted to be taken under the following circumstances:

From within the confines of posted boundaries of the area as identified by signs, whether the whole or any part of the area is posted; or

When the area has been regularly posted and identified and the person knew the area to be the subject of private marine aquaculture rights.

A violation of this subsection shall constitute a Class A1 misdemeanor, which may include a fine of not more than five thousand dollars (\$5,000). The written authorization shall include the lease number or deed reference, name and address of authorized person, date of issuance, and date of expiration, and it must be signed by the holder of the marine aquaculture rights. Identification signs shall include the lease number or deed reference and the name of the holder. (2017-190, s. 1.)

§ 113-218. (Effective December 1, 2026) Protection of private marine aquaculture rights.

§ 113-218(a) Offense. - It is unlawful for any person, other than the holder of a lease issued under this Article, to take or attempt to take marine species being produced under the license and associated lease from any privately leased, franchised, or deeded marine aquaculture operation without written authorization of the holder and with actual

knowledge it is a marine aquaculture leased area. The written authorization shall include the lease number or deed reference, name and address of authorized person, date of issuance, and date of expiration, and it must be signed by the holder of the marine aquaculture rights. Actual knowledge will be presumed when the marine species are taken or attempted to be taken under either of the following circumstances:

- (1) From within the confines of posted boundaries of the area as identified by signs, whether the whole or any part of the area is posted. Identification signs shall include the lease number or deed reference and the name of the holder.
- (2) When the area has been regularly posted and identified and the person knew the area to be the subject of private marine aquaculture rights.

§ 113-218(b)

CLASS H / G FELONY

Penalty. - A violation of this section shall be punishable as follows:

- (1) For a first offense, the person is guilty of a Class H felony, punishable by a fine of not less than two hundred fifty dollars (\$250.00) in addition to any other punishment prescribed for the offense.
- (2) For a second or subsequent offense, the person is guilty of a Class G felony, punishable by a fine of not less than five hundred dollars (\$500.00) in addition to any other punishment prescribed for the offense. (2017-190, s. 1; 2026-11, s. 16(b).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 113-218 (2026).

PINPOINT

N.C. Gen. Stat. § 113-218(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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