



CHAPTER 113
ARTICLE 20 - MISCELLANEOUS REGULATORY PROVISIONS

N.C.G.S. § 113-269.

(Effective until December 1, 2026)
Robbing or injuring hatcheries and other
aquaculture operations.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2026-11, s. 16(c) — fourth act in the lineage	21 September 2026, 01:59 UTC	4d44ada0b71642a1b38be5d6 - 805e63cf8c69d9f4c7c94886 - 3e58a829c45f7e89

- § 113-269(a)

The definitions established in G.S. 106-758 are incorporated by reference into this section. For the purposes of this section, a shellfish lease issued pursuant to G.S. 113-202 is defined as an aquaculture facility only when it has been amended pursuant to G.S. 113-202.1 to authorize use of the water column and when it is or has been regularly posted and identified in accordance with the rules of the Marine Fisheries Commission.
- § 113-269(b)

It is unlawful for any person without the authority of the owner of an aquaculture facility to take fish or aquatic species being cultivated or reared by the owner from an aquaculture facility.
- § 113-269(c)

It is unlawful for any person to receive or possess fish or aquatic species stolen from an aquaculture facility while knowing or having reasonable grounds to believe that the fish or aquatic species are stolen.
- § 113-269(d)

It is unlawful for any person to willfully destroy or injure an aquaculture facility or aquatic species being reared in an aquaculture facility.
- § 113-269(e)

Violation of subsections (b) or (c) for fish or aquatic species valued at more than four hundred dollars (\$400.00) is punishable under G.S. 14-72. Violation of subsections (b)

or (c) for fish or aquatic species valued at four hundred dollars (\$400.00) or less is a Class 1 misdemeanor.

§ 113-269(f) Violation of subsection (d) is a Class 1 misdemeanor.

§ 113-269(g) In deciding to impose any sentence other than an active prison sentence, the sentencing judge shall consider and may require, in accordance with G.S. 15A-1343, restitution to the victim for the amount of damage to the aquaculture facility or aquatic species or for the value of the stolen fish or aquatic species.

§ 113-269(h) The district attorney shall dismiss any case brought pursuant to subsections (b) and (c) if defendant produces a notarized written authorization for taking fish or aquatic species from the aquaculture facility or if the fish or aquatic species taken from a shellfish lease aquaculture facility was not a shellfish authorized for cultivation on the lease. (1989, c. 281, s. 1; 1993, c. 539, ss. 850, 851; 1994, Ex. Sess., c. 24, s. 14(c).)

§ 113-269. (Effective December 1, 2026) Robbing or injuring hatcheries and other aquaculture operations.

§ 113-269(a) The definitions established in G.S. 106-758 are incorporated by reference into this section.

§ 113-269(b) It is unlawful for any person without the authority of the owner of an aquaculture facility to take fish or aquatic species being cultivated or reared by the owner from an aquaculture facility.

§ 113-269(c) It is unlawful for any person to receive or possess fish or aquatic species stolen from an aquaculture facility while knowing or having reasonable grounds to believe that the fish or aquatic species are stolen.

§ 113-269(d) It is unlawful for any person to willfully destroy or injure an aquaculture facility or aquatic species being reared in an aquaculture facility.

§ 113-269(e) Violation of subsection (c) [of this section] for fish or aquatic species valued at more than four hundred dollars (\$400.00) is punishable under G.S. 14-72. Violation of subsection (c) [of this section] for fish or aquatic species valued at four hundred dollars (\$400.00) or less is a Class 1 misdemeanor.

§ 113-269(f)

CLASS H / G FELONY

Violation of subsection (b) or (d) [of this section] is 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.

§ 113-269(g)

In deciding to impose any sentence other than an active prison sentence, the sentencing judge shall consider and may require, in accordance with G.S. 15A-1343, restitution to the victim for the amount of damage to the aquaculture facility or aquatic species or for the value of the stolen fish or aquatic species.

§ 113-269(h)

The district attorney shall dismiss any case brought pursuant to subsections (b) and (c) if defendant produces a notarized written authorization for taking fish or aquatic species from the aquaculture facility or if the fish or aquatic species taken from a shellfish lease aquaculture facility was not a shellfish authorized for cultivation on the lease.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

198920082026

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1989	c. 281, s. 1	ENACTED
02	1993	c. 539, ss. 850, 851	AMENDED
03	1994	Ex. Sess., c. 24, s. 14(c)	AMENDED
04	2026	S.L. 2026-11, s. 16(c)	AMENDED

APPARATUS II
5 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 106-758	(a)	<i>"The definitions established in"</i>
G.S. 113-202	(a)	<i>"a shellfish lease issued pursuant to"</i>
G.S. 113-202.1	(a)	<i>"it has been amended pursuant to"</i>
G.S. 14-72	(e)	<i>"hundred dollars (\$400.00) is punishable under"</i>
G.S. 15A-1343	(g)	<i>"and may require, in accordance with"</i>

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 113-269 (2026).

PINPOINT
N.C. Gen. Stat. § 113-269(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

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1989, c. 281, s. 1; 1993, c. 539, ss. 850, 851; 1994, Ex. Sess., c. 24, s. 14(c); 2026-11, s. 16(c).)

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