



CHAPTER 113

ARTICLE 21 - LICENSES AND PERMITS ISSUED BY THE WILDLIFE RESOURCES COMMISSION

N.C.G.S. § 113-276.

Exemptions and exceptions to license and permit requirements.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2022-62, s. 57 — forty-first act in the lineage	21 September 2026, 01:59 UTC	0efdbcea1f7e9d487291e658 - c2b6a480677618b572dbeb85 - e004312957d8a19b

§ 113-276(a) , (b)Repealed by Session Laws 1979, c. 830, s. 1.

§ 113-276(c) Except as otherwise provided in this Subchapter, every landholder, landholder's spouse, and dependent under 18 years of age residing with the landholder may take wildlife upon the land held by the landholder without any license required by G.S. 113-270.1B or G.S. 113-270.3(a), except that these persons are not exempt from the American alligator licenses established in G.S. 113-270.3(b)(6) and G.S. 113-270.3(b)(7)-, elk licenses established in G.S. 113-270.3(b)(8) and G.S. 113-270.3(b)(9), bear management stamp established in G.S. 113-270.3(b)(1b), and the falconry license described in G.S. 113-270.3(b)(4).

§ 113-276(d) Except as otherwise provided in this Subchapter, individuals under 16 years of age are exempt from the hunting and trapping license requirements of G.S. 113-270.1B(a) and G.S. 113-270.3, except that these individuals are not exempt from the American alligator licenses established in G.S. 113-270.3(b)(6) and G.S. 113-270.3(b)(7), elk licenses established in G.S. 113-270.3(b)(8) and G.S. 113-270.3(b)(9), and the falconry license described in G.S. 113-270.3(b)(4). Individuals under 16 years of age may hunt under this exemption, so long as the hunter is accompanied by an adult of at least 18 years of age who is licensed to hunt in this State. For purposes of this section, "accompanied" means that the licensed adult maintains a proximity that enables the adult to monitor the activities of the hunter by remaining within sight and hearing distance at all times without use of electronic devices. Upon successfully obtaining the hunter education certificate of competency required by G.S. 113-270.1A(a), a hunter

may hunt under the license exemption until age 16 without adult accompaniment. Individuals under 16 years of age are exempt from the fishing license requirements of G.S. 113.270.1B(a) and G.S. 113-271.

§ 113-276(e) Repealed by Session Laws 2005-455, s. 1.11.

§ 113-276(f) A special device license is not required when a landing net is used in any of the following applications:

- (1) To take nongame fish in inland fishing waters.
- (2) To assist in taking fish in inland fishing waters when the initial and primary method of taking is by the use of hook and line - so long as applicable hook-and-line fishing-license requirements are met.

As used in this subsection, a "landing net" is a net with a handle not exceeding eight feet in length and with a hoop or frame to which the net is attached not exceeding 60 inches along its outer perimeter.

§ 113-276(g) Bow nets covered by a special device license may be used in waters and during the seasons authorized in the rules of the Wildlife Resources Commission by an individual other than the licensee with the permission of the licensee. The individual using another's bow net must also secure the net owner's special device license and keep it on or about the individual's person while fishing in inland fishing waters.

§ 113-276(h) Repealed by Session Laws 1979, c. 830, s. 1.

§ 113-276(i) A food server may prepare edible wildlife lawfully taken and possessed by a patron for serving to the patron and any guest the patron may have. The Executive Director may provide for the keeping of records by the food server necessary for administrative control and supervision with respect to wildlife brought in by patrons.

§ 113-276(j) Repealed by Session Laws 2022-62, s. 57, effective July 8, 2022.

§ 113-276(k) Box-trapped rabbits may be released for the purpose of training dogs on an area of private land that is completely enclosed with a metal fence through which rabbits may not escape or enter at any time. The Wildlife Resources Commission may establish rules to set standards for areas on which rabbits are released. A person may participate in a field trial for beagles without a hunting license if approved in advance by the

Executive Director, conducted without the use or possession of firearms, and on an area of not more than 100 acres of private land that is completely and permanently enclosed with a metal fence through which rabbits may not escape or enter at any time.

§ 113-276(l) The fishing license provisions of this Article do not apply upon the lands held in trust by the United States for the Eastern Band of the Cherokee Indians.

§ 113-276(l1) The licensing provisions of this Article do not apply to a member of an Indian tribe recognized under Chapter 71A of the General Statutes for purposes of hunting, trapping, or fishing on tribal land. A person taking advantage of this exemption shall possess and produce proper identification confirming the person's membership in a State-recognized tribe upon request by a wildlife enforcement officer. For purposes of this section, "tribal land" means only real property owned by an Indian tribe recognized under Chapter 71A of the General Statutes.

§ 113-276(l2) A resident of this State who is a member of the Armed Forces of the United States serving outside the State, or who is serving on full-time active military duty outside the State in a reserve component of the Armed Forces of the United States as defined in 10 U.S.C. § 10101, is exempt from the hunting and fishing license requirements of G.S. 113-270.1B, G.S. 113-270.3(b)(1), G.S. 113-270.3(b)(3)-, G.S. 113-270.3(b)(5), G.S. 113-271, and the Coastal Recreational Fishing License requirements of G.S. 113-174.2 while that person is on leave in this State for 30 days or less. In order to qualify for the exemption provided under this subsection, the person shall have on his or her person at all times during the hunting or fishing activity the person's military identification card and a copy of the official document issued by the person's service unit confirming that the person is on authorized leave from a duty station outside this State.

A person exempted from licensing requirements under this subsection is responsible for complying with any reporting requirements prescribed by rule of the Wildlife Resources Commission, complying with the hunter education requirements of G.S. 113-270.1A, purchasing any federal migratory waterfowl stamps as a result of waterfowl hunting activity, and complying with any other requirements that apply to the holder of a North Carolina license.

§ 113-276(l3) A resident or nonresident of this State who served as a member of the Armed Forces and who separated under honorable conditions is exempt from the Mountain

Heritage Trout fishing license requirements of G.S. 113-271(d)(10) while fishing in waters designated by the Wildlife Resources Commission as Mountain Heritage Trout waters. In order to qualify for the exemption provided under this subsection, the person shall have valid documentation of their service on his or her person at all times during the fishing activity.

§ 113-276(m)

The fourth day of July of each year is declared a free fishing day to promote the sport of fishing and no hook-and-line fishing license is required to fish in any of the public waters of the State on that day. All other laws and rules pertaining to hook-and-line fishing apply.

§ 113-276(n)

The Wildlife Resources Commission may adopt rules to exempt individuals from the hunting and fishing license requirements of G.S. 113-270.1B, 113-270.3(b)(1), 113-270.3(b)(1a), 113-270.3(b)(1b), 113-270.3(b)(2), 113-270.3(b)(3), 113-270.3(b)(5), and 113-271 who participate in organized hunting and fishing events for the specified time and place of the event when the purpose of the event is consistent with the conservation objectives of the Commission. A person exempted from licensing requirements under this subsection is responsible for complying with any reporting requirements prescribed by rule of the Wildlife Resources Commission, purchasing any federal migratory waterfowl stamps as a result of waterfowl hunting activity, and complying with any other requirements that apply to the holder of a North Carolina license. Those exempted persons shall comply with the hunter safety requirements of G.S. 113-270.1A or shall be accompanied by a properly licensed adult who maintains a proximity to the exempt individual that enables the adult to monitor the activities of, and communicate with, the individual at all times.

§ 113-276(o)

An eligible member of a volunteer fire department, rescue squad, or emergency medical services squad for five consecutive fiscal years, including the prior fiscal year, may be issued any adult resident lifetime license issued and administered by the Wildlife Resources Commission for fifty percent (50%) of the applicable license fee amount. For purposes of this subsection, the term "eligible member" means (i) for volunteer fire department members, an individual appearing on the certified roster of eligible firefighters submitted to the North Carolina State Firefighters' Association under G.S. 58-86-25 and (ii) for volunteer rescue or emergency medical services squad members, an individual appearing on the certified roster of eligible rescue or emergency medical services squad members submitted to the North Carolina Association of Rescue and Emergency Medical Services, Inc., under G.S. 58-86-30.

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

Amendment lineage

1929 1976 2022

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

№	YEAR	ACT	CHARACTER
01	1929	c. 335, ss. 1, 10	ENACTED
02	1935	c. 486, s. 12	AMENDED
03	1937	c. 45, s. 1	AMENDED
04	1945	c. 567, ss. 1, 6	AMENDED
05	1945	c. 617	AMENDED
06	1949	c. 1203, s. 1	AMENDED
07	1951	c. 1112, s. 2	AMENDED
08	1957	c. 849, s. 1	AMENDED
09	1959	c. 304	AMENDED
10	1961	cc. 312, 329	AMENDED
11	1961	c. 834, s. 1	AMENDED
12	1963	c. 170	AMENDED
13	1965	c. 957, s. 2	AMENDED
14	1967	cc. 127, 654, 790	AMENDED
15	1969	c. 1030	AMENDED
16	1969	c. 1042, ss. 1-5	AMENDED
17	1971	c. 242	AMENDED
18	1971	c. 282, s. 1	AMENDED
19	1971	c. 705, ss. 1, 2	AMENDED
20	1971	c. 1231, s. 1	AMENDED
21	1973	c. 1262, s. 18	AMENDED

22	1975	c. 197, ss. 1-4	AMENDED
23	1977	c. 191, s. 1	AMENDED
24	1977	c. 658	AMENDED
25	1979	c. 830, s. 1	AMENDED
26	1987	c. 827, s. 98	AMENDED
27	1987	1993 (Reg. Sess., 1994), c. 684, ss. 6, 8, 9	AMENDED
28	1999	S.L. 1999-456, ss. 29, 30	AMENDED
29	2005	S.L. 2005-285, s. 1	AMENDED
30	2005	S.L. 2005-438, s. 2	AMENDED
31	2005	S.L. 2005-455, ss. 1.11, 1.12, 1.13, 1.14	AMENDED
32	2009	S.L. 2009-25, s. 1	AMENDED
33	2009	S.L. 2009-248, s. 1	AMENDED
34	2011	S.L. 2011-401, s. 3.15	AMENDED
35	2013	S.L. 2013-63, s. 4	AMENDED
36	2013	S.L. 2013-283, s. 14	AMENDED
37	2018	S.L. 2018-90, s. 3	AMENDED
38	2019	S.L. 2019-204, ss. 6(o), 12	AMENDED
39	2021	S.L. 2021-88, s. 10	AMENDED
40	2021	S.L. 2021-160, ss. 5(a), 8A	AMENDED
41	2022	S.L. 2022-62, s. 57	AMENDED

APPARATUS II
19 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. 113-270.1B	(c)	"landholder without any license required by"
G.S. 113-270.3(a)	(c)	"license required by G.S. 113-270.1B or"
G.S. 113-270.3(b)(6)	(c)	"the American alligator licenses established in"
G.S. 113-270.3(b)(7)	(c)	"licenses established in G.S. 113-270.3(b)(6) and"
G.S. 113-270.3(b)(8)	(c)	"G.S. 113-270.3(b)(7), elk licenses established in"

G.S. 113-270.3(b)(9)	(c)	"licenses established in G.S. 113-270.3(b)(8) and"
G.S. 113-270.3(b)(1b)	(c)	"113-270.3(b)(9), bear management stamp established in"
G.S. 113-270.3(b)(4)	(c)	"and the falconry license described in"
G.S. 113-270.1B(a)	(d)	"hunting and trapping license requirements of"
G.S. 113-270.3	(d)	"license requirements of G.S. 113-270.1B(a) and"
G.S. 113-270.1A(a)	(d)	"education certificate of competency required by"
G.S. 113-271	(d)	"license requirements of G.S. 113.270.1B(a) and"
G.S. 113-270.3(b)(1)	(l2)	"fishing license requirements of G.S. 113-270.1B,"
G.S. 113-270.3(b)(3)	(l2)	"requirements of G.S. 113-270.1B, G.S. 113-270.3(b)(1),"
G.S. 113-270.3(b)(5)	(l2)	"G.S. 113-270.1B, G.S. 113-270.3(b)(1), G.S. 113-270.3(b)(3),"
G.S. 113-174.2	(l2)	"Coastal Recreational Fishing License requirements of"
G.S. 113-270.1A	(l2)	"with the hunter education requirements of"
G.S. 113-271(d)(10)	(l3)	"Heritage Trout fishing license requirements of"
G.S. 58-86	(o)	"North Carolina State Firefighters' Association under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 113-276 (2022).

PINPOINT

N.C. Gen. Stat. § 113-276(a) (2022).

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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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1929, c. 335, ss. 1, 10; 1935, c. 486, s. 12; 1937, c. 45, s. 1; 1945, c. 567, ss. 1, 6; c. 617; 1949, c. 1203, s. 1; 1951, c. 1112, s. 2; 1957, c. 849, s. 1; 1959, c. 304; 1961, cc. 312, 329; c. 834, s. 1; 1963, c. 170; 1965, c. 957, s. 2; 1967, cc. 127, 654, 790; 1969, c. 1030; c. 1042, ss. 1-5; 1971, c. 242; c. 282, s. 1; c. 705, ss. 1, 2; c. 1231, s. 1; 1973, c. 1262, s. 18; 1975, c. 197, ss. 1-4; 1977, c. 191, s. 1; c. 658; 1979, c. 830, s. 1; 1987, c. 827, s. 98; 1993 (Reg. Sess., 1994), c. 684, ss. 6, 8, 9; 1999-456, ss. 29, 30; 2005-285, s. 1; 2005-438, s. 2; 2005-455, ss. 1.11, 1.12, 1.13, 1.14; 2009-25, s. 1; 2009-248, s. 1; 2011-401, s. 3.15; 2013-63, s. 4; 2013-283, s. 14; 2018-90, s. 3; 2019-204, ss. 6(o), 12; 2021-88, s. 10; 2021-160, ss. 5(a), 8A; 2022-62, s. 57.)

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