

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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1

HOUSE BILL 186

Short Title: Aquaculture Criminal Penalties.

(Public)

Sponsors: Representatives Jenkins; Beall, Bowman, and Hill.

Referred to: Judiciary III.

February 14, 1994

A BILL TO BE ENTITLED

2 AN ACT TO PROVIDE THAT IT IS A CLASS H FELONY TO WILLFULLY
3 DESTROY OR INJURE AN AQUACULTURE FACILITY OR AQUATIC
4 SPECIES BEING REARED IN THE FACILITY, TO STEAL FISH OR AQUATIC
5 SPECIES FROM AN AQUACULTURE FACILITY, OR TO RECEIVE OR
6 POSSESS FISH OR AQUATIC SPECIES STOLEN FROM AN AQUACULTURE
7 FACILITY IF THE VALUE OF THE DAMAGE TO THE FACILITY OR
8 AQUATIC SPECIES IS MORE THAN ONE THOUSAND DOLLARS OR THE
9 VALUE OF THE FISH OR AQUATIC SPECIES STOLEN OR UNLAWFULLY
10 RECEIVED IS MORE THAN ONE THOUSAND DOLLARS.

11 The General Assembly of North Carolina enacts:

14 "(e) **(Effective January 1, 1995)** Violation of subsections (b) or (c) for fish or
15 aquatic species valued at more than ~~four hundred dollars (\$400.00)~~one thousand dollars
16 (\$1,000) is punishable under G.S. 14-72. Violation of subsections (b) or (c) for fish or
17 aquatic species valued at ~~four hundred dollars (\$400.00)~~one thousand dollars (\$1,000) or
18 less is a Class 1 misdemeanor."

19 Sec. 2. G.S. 113-269(f), as amended by Section 851 of Chapter 539 of the
20 1993 Session Laws, reads as rewritten:

21 "(f) **(Effective January 1, 1995)** Violation of subsection (d) is a Class H felony
22 if the damage to the aquaculture facility or to the aquatic species being reared in an
23 aquaculture facility is value at more than one thousand dollars (\$1,000). Violation of

1 subsection (d) is a Class 1 ~~misdemeanor~~ misdemeanor if the damage is valued at one
2 thousand dollars (\$1,000) or less."

3 Sec. 3. This act becomes effective January 1, 1995, and applies to offenses
4 committed on or after that date.