

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 382

Short Title: Elk Permit Auction/Raffle. (Public)

Sponsors: Representatives Huneycutt, Bell, Gillespie, and Turner (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Wildlife Resources, if favorable, Rules, Calendar, and Operations of the House

March 13, 2025

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE WILDLIFE RESOURCES COMMISSION TO ISSUE ELK PERMITS BY RAFFLE AND AUCTION.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Directive to Commission. – The Wildlife Resources Commission shall issue one resident Elk Permit by raffle and one Elk Permit by auction as provided in this section. These permits shall be issued for the 2026 hunting season, pursuant to rules adopted by the Commission. Any elk taken shall be reported and presented to Commission staff pursuant to the conditions of the permit issued. An Elk Permit obtained by raffle or auction is nontransferable and may not be resold or reassigned.

SECTION 1.(b) Raffle. – The Commission shall conduct a raffle for one resident Elk Permit. Raffle tickets will be twenty dollars (\$20.00) per ticket or a maximum of 30 raffle tickets for five hundred dollars (\$500.00). Purchasers of raffle tickets must either have a valid North Carolina hunting license or be licensed exempt as provided in G.S. 113-276 at the time of purchase. The Commission may retain from the proceeds of the raffle the actual costs of administering the raffle for a resident Elk Permit, not to exceed twenty-five thousand dollars (\$25,000). The Commission shall deposit the remaining proceeds from the raffle in the Wildlife Resources Fund created under G.S. 143-250 to be used for the conservation and management of elk.

SECTION 1.(c) Auction. – Notwithstanding Article 3 of Chapter 143 of the General Statutes or any other provision of law pertaining to public contracting, the Commission shall select one nonprofit wildlife conservation organization to conduct an auction for one Elk Permit. The nonprofit wildlife conservation organization selected by the Commission pursuant to this section must have been involved in the reintroduction of elk into North Carolina. The nonprofit wildlife conservation organization shall retain no more than twenty-five percent (25%) of the proceeds of the auction for an Elk Permit. The Commission shall deposit the remaining proceeds from the auction in the Wildlife Resources Fund created under G.S. 143-250 to be used for the conservation and management of elk.

SECTION 1.(d) Continuing Authority. – For hunting seasons after the 2026 hunting season, the Commission, based on its evaluation of its elk management goals, may raffle off one or more Elk Permits and select one nonprofit wildlife conservation organization to conduct an auction for one Elk Permit in the manner described in subsections (b) and (c) of this section. The following restrictions apply to those future hunting season activities:

- (1) The Commission must conduct an Elk Permit raffle for one or more Elk Permits if it conducts an Elk Permit auction.



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1 (2) The Commission shall reserve fifty percent (50%) of all Elk Permits made
2 available via raffle for residents of the State of North Carolina.

3 **SECTION 1.(e)** Funds Supplemental. – It is the intent of the General Assembly that
4 receipts generated by the activities authorized by this act supplement, rather than replace, other
5 funds budgeted for management of elk.

6 **SECTION 1.(f)** Report. – No later than March 1, 2027, and every year thereafter in
7 which the Commission conducts Elk Permit raffles and auctions, the Commission shall submit
8 to the House Wildlife Resources Committee; the Senate Agriculture, Energy, and Environment
9 Committee; and the Fiscal Research Division a report on the effectiveness of the auction and
10 raffle programs, including the amount of money raised, recommendations as to whether to
11 continue the programs, and, if so, legislative recommendations to improve the programs.

12 **SECTION 2.** Conforming Change. – G.S. 113-129(7c) reads as rewritten:

13 "(7c) Game Animals. – Bear, elk, fox, rabbit, squirrel, white-tailed deer, and, except
14 when trapped in accordance with provisions relating to fur-bearing animals,
15 bobcat, opossum, and raccoon."

16 **SECTION 3.** Conforming Change. – G.S. 113-291.8 reads as rewritten:

17 **"§ 113-291.8. Requirement to display hunter orange.**

18 (a) Any person hunting game animals other than foxes, bobcats, raccoons, and opossum,
19 or hunting upland game birds other than wild turkeys, or hunting feral swine, with the use of
20 firearms, must wear a cap or hat on his head made of hunter orange material or an outer garment
21 of hunter orange visible from all sides. Any person hunting deer during a deer firearms season or
22 elk during an open elk season shall wear hunter orange.~~orange in a manner that is visible from~~
23 ~~all directions.~~ Hunter orange material is a material that is a daylight fluorescent orange color.

24 This section does not apply to a landholder, his spouse, or children, who are hunting on land
25 held by the landholder. ~~This subsection shall be enforced by warning ticket only until October 1,~~
26 ~~1992, with respect to those hunting rabbit, squirrel, grouse, pheasant, and quail.~~

27 (b) ~~Any person violating this section during the 1987 big game hunting season shall be~~
28 ~~given a warning of violation only. Thereafter, any~~ Any person violating this section has
29 committed an infraction and shall pay a fine of twenty-five dollars (\$25.00). An infraction is an
30 unlawful act that is not a crime. The procedure for charging and trying an infraction is the same
31 as for a misdemeanor, but conviction of an infraction has no consequence other than payment of
32 a fine. A person convicted of an infraction may not be assessed court costs.

33 Wildlife Enforcement Officers are authorized to charge persons with the infraction created
34 by this section.

35 (c) Failure to wear hunter orange material in violation of this section shall not constitute
36 negligence per se or contributory negligence per se."

37 **SECTION 4.** Effective Date. – This act is effective when it becomes law.