

# GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2025

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## HOUSE BILL 450

Short Title: Private Property Rights Act.

(Public)

Sponsors: Representatives Chesson, Miller, Pyrtle, and Huneycutt (Primary Sponsors).

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

Referred to: Judiciary 2, if favorable, Wildlife Resources, if favorable, Rules, Calendar, and Operations of the House

March 20, 2025

### A BILL TO BE ENTITLED

AN ACT TO PROHIBIT A PRIVATE DETECTIVE OR PRIVATE INVESTIGATOR FROM INSTALLING AND USING AN ELECTRONIC TRACKING DEVICE WITHOUT FIRST OBTAINING A SEARCH WARRANT OR OTHER JUDICIAL ORDER AUTHORIZING THE INSTALLATION AND USE; AND TO REQUIRE THAT WILDLIFE PROTECTORS OBTAIN A SEARCH WARRANT OR OTHER SIMILAR ORDER BEFORE CONDUCTING INSPECTIONS OR INVESTIGATIONS ON OR IN CERTAIN PRIVATE PROPERTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-196.3(b)(5)k. is repealed.

**SECTION 2.(a)** G.S. 113-136 reads as rewritten:

**"§ 113-136. Enforcement authority of inspectors and protectors; refusal to obey or allow inspection by inspectors and protectors.**

...

(c) The jurisdiction of protectors extends to all matters within the jurisdiction of the Wildlife Resources Commission, whether set out in this Chapter, Chapter 75A, Chapter 143, Chapter 143B, or elsewhere. The Wildlife Resources Commission is specifically granted jurisdiction over all aspects of:

(1) Boating and water safety;

(2) Hunting and trapping;

(3) Fishing, exclusive of fishing under the jurisdiction of the Marine Fisheries Commission; and

(4) Activities in woodlands and on inland waters governed by G.S. 106-908 to G.S. 106-910.

In addition, protectors have jurisdiction over all offenses involving property of or leased by the Wildlife Resources Commission or occurring on wildlife refuges, game lands, or boating and fishing access areas managed by the Wildlife Resources Commission. The authority of protectors over offenses on public hunting grounds is governed by the jurisdiction granted the Commission in G.S. 113-264(c).

...

(l) Nothing in this section authorizes searches within the curtilage of a dwelling or of the living quarters of a vessel without a search warrant or other judicial order authorizing the search or in contravention of constitutional prohibitions against unreasonable searches and seizures."

**SECTION 2.(b)** G.S. 113-302.1 reads as rewritten:



1    **"§ 113-302.1. Inspection of licensed or commercial premises; authority to secure inspection**  
2    **warrants.**

3        (a)      Protectors are authorized to enter and make a reasonable inspection at an appropriate  
4      time of day of any premises in which a person subject to administrative control under  
5      G.S. 113-276.2 conducts his operations to determine whether any wildlife on the premises is  
6      possessed in accordance with applicable laws and rules, required records are being kept, and  
7      other legal requirements are being observed. It is an appropriate time of day for inspection if the  
8      establishment is open for business or if a proprietor or employee is on the premises.

9        (b)      In cases not controlled by subsection (a), protectors who believe that wildlife may be  
10     on the premises of any public refrigeration storage plant, meat shop, store, produce market, hotel,  
11     restaurant, or other public food-storage or eating place may request permission to enter the  
12     nonpublic areas of the premises to make a reasonable inspection to determine whether any  
13     wildlife on the premises is possessed in accordance with applicable laws and rules. If the person  
14     in charge of the premises refuses the inspection request of a protector, ~~he~~the protector is  
15     authorized to procure and execute an administrative search warrant issued under the terms of  
16     Article 4A of Chapter 15 of the General Statutes or under any successor legislation.

17       (c)      In cases controlled by subsection (a), an administrative search warrant ~~may be secured~~  
18     ~~in the protector's discretion or if case law requires it.~~issued under the terms of Article 4A of  
19     Chapter 15 of the General Statutes shall be secured. Nothing in this section is intended to prevent  
20     a lawful search of premises, with or without a search warrant under Chapter 15A of the General  
21     Statutes, when the circumstances so justify."

22       **SECTION 3.** This act becomes effective December 1, 2025, and applies to offenses  
23     committed on or after that date.