

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013**

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**SENATE BILL 60**

Short Title:   The Opossum Right-to-Work Act. (Public)

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Sponsors:    Senators J. Davis, Bingham (Primary Sponsors); Apodaca, Brock, Hise, and Tucker.

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Referred to:  Rules and Operations of the Senate.

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February 7, 2013

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW PROVIDING FOR THE ISSUANCE OF CAPTIVITY  
LICENSES AND PERMITS BY THE WILDLIFE RESOURCES COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 113-272.5(a) reads as rewritten:

"(a) In the interests of humane treatment of wild animals and wild birds that are lawfully taken, crippled, tame, or ~~otherwise~~ unfit for immediate release into their natural habitat, the Wildlife Resources Commission may license qualified individuals to hold at a specified location one or more of any particular species of wild animal or wild bird alive in ~~captivity~~ captivity for scientific, educational, or exhibition purposes. Before issuing this license, the Executive Director must satisfy himself that issuance of the license is appropriate under the objectives of this Subchapter, and that the wild animal or wild bird was not acquired unlawfully or merely as a pet. Upon refusing to issue the captivity license, the Executive Director may either take possession of the wild animal or wild bird for appropriate disposition or issue a captivity permit under G.S. 113-274(c)(1b) for a limited period until the holder makes proper disposition of the wild animal or wild bird."

**SECTION 2.** G.S. 113-274(c) reads as rewritten:

"(c) The Wildlife Resources Commission may issue the following permits:

...

(1b) Captivity Permit. – Authorizes the possession of live wildlife that may lawfully be permitted to be retained alive, in accordance with governing rules of the Wildlife Resources Commission. This permit may not substitute for any required collection license or captivity license, but may be temporarily issued for possession of wild animals or wild birds for scientific, educational, or exhibition purposes pending action on a captivity license or following its denial or termination. If this permit is issued for fish to be held indefinitely, the Wildlife Resources Commission may provide for periodic renewals of the permit, at least once each three years, to insure a review of the circumstances and conditions under which fish are kept. Wild animals and wild birds kept temporarily in captivity under this permit must be humanely treated and in accordance with any stipulations in the permit, but the standards of caging and care applicable to species kept under the captivity license do not apply unless specified in the permit. Any substantial deviation from reasonable requirements imposed by rule or administratively



1                                   under the authority of this section renders the possession of the wildlife  
2                                   unlawful.  
3                                   ...."  
4                                   **SECTION 3.** This act is effective when it becomes law.