

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 442
Committee Substitute Favorable 4/29/25
Committee Substitute #2 Favorable 5/6/25
Senate Agriculture, Energy, and Environment Committee Substitute Adopted 6/17/25

Short Title: Flounder/Red Snapper Seasons & Shrimp Trawl. (Public)

Sponsors:

Referred to:

March 20, 2025

A BILL TO BE ENTITLED
AN ACT TO RESTORE RECREATIONAL FISHING FOR FLOUNDER AND RED
SNAPPER IN NORTH CAROLINA THROUGH THE CREATION OF A FOUR-YEAR
PILOT PROGRAM AND TO PROHIBIT THE USE OF TRAWL NETS TO TAKE
SHRIMP IN COASTAL FISHING WATERS OR THE ATLANTIC OCEAN WITHIN
ONE-HALF MILE OF THE SHORELINE.

The General Assembly of North Carolina enacts:

RESTORE FLOUNDER AND RED SNAPPER SEASONS

SECTION 1.(a) Findings. – The General Assembly makes the following findings:

- (1) In 2024, the Division of Marine Fisheries of the Department of Environmental Quality issued proclamations limiting the recreational harvest of flounder to four days in joint fishing waters and the recreational harvest of red snapper to one day.
- (2) The recreational fishing industry contributes significantly to the economy of coastal North Carolina.
- (3) North Carolina's restrictions on recreational fishing of flounder and red snapper are more stringent than any other southeastern state from Virginia to Texas.
- (4) There is considerable overlap in the fish population between southeastern counties of the State, such as Brunswick County, and South Carolina.
- (5) Higher creel and season limits in South Carolina in 2024 give that state a significant competitive advantage in the competition for recreational fishing tourism.
- (6) State policies regarding recreational catch and release reporting and data analysis overestimate overall mortality, thus skewing the science on the flounder fishery.
- (7) Coastal fishing charters or individual boats report catching large amounts of these species by accident and having to release them, indicating the populations are plentiful.
- (8) These unnecessarily strict and possibly unscientific restrictions on the recreational fishing industry force recreational fishing customers and captains to move much of their business to South Carolina and Virginia.



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SECTION 1.(b) Directive. – Notwithstanding G.S. 113-221.1 and G.S. 143B-289.52 and any other provision of law to the contrary, the Fisheries Director (as defined in G.S. 113-251), the Marine Fisheries Commission (Commission), and the Division of Marine Fisheries of the Department of Environmental Quality (Division) shall do all of the following:

- (1) Undertake a supplement to the Southern Flounder Fishery Management Plan to increase recreational and commercial access to the southern flounder resource by allowing a recreational harvest season not less than six weeks between May 15 and November 15 of each year with a limit of one fish per person per day, and no seasonal limit; and set a commercial quota with a total allowed catch of 750,000 pounds with quota overages in one year deducted from the following year's quota and any unused quota in one year added to the following year's quota. All other size and manner of take limits, season opening dates, area designations, and specific area and gear sub-allocations implemented through Amendment 3 to the Southern Flounder Fishery Management Plan shall continue to apply.
- (2) Allow a year-round red snapper season with a limit of two fish per person per day and a 20-inch minimum size limit in State waters.
- (3) By July 1, 2026, complete a southern flounder stock assessment based on the most recent years of available data.

SECTION 2. Report. – The Division shall report the results of the southern flounder stock assessment no later than August 1, 2026, to the chairs and members of the House Wildlife Resources Committee and the Senate Agriculture, Energy, and Environment Committee and shall annually report no later than August 1 thereafter with an assessment of progress in rebuilding the southern flounder stock and an estimated time line of further increasing recreational and commercial access to the southern flounder resource.

PROHIBIT SHRIMP TRAWLING IN ALL INSHORE FISHING WATERS AND WITHIN ONE-HALF MILE OF THE SHORELINE

SECTION 3.(a) G.S. 113-187(d) reads as rewritten:

"(d) Any person in charge of a commercial fishing operation conducted in violation of the following provisions of this Subchapter or the following rules of the Marine Fisheries Commission; and any person in charge of any vessel used in violation of the following provisions of the Subchapter or the following rules, shall be guilty of a Class A1 misdemeanor. The violations of the statute or the rules for which the penalty is mandatory are:

- (1) Taking or attempting to take, possess, sell, or offer for sale any oysters, mussels, or clams taken from areas closed by statute, rule, or proclamation because of suspected pollution.
- (2) Taking or attempting to take or have in possession aboard a vessel, shrimp taken by the use of a trawl net, in areas not opened to shrimping, pulled by a vessel not showing lights required by G.S. 75A-6 after sunset and before sunrise.
- (3) Using a trawl net in any coastal fishing waters closed by proclamation or rule to trawl nets.
- (3a) Taking or attempting to take shrimp using a trawl net in any coastal fishing waters other than areas of the Atlantic Ocean located more than one-half mile from the shoreline.
- (4) Violating the provisions of a special permit or gear license issued by the Department.

(5) Using or attempting to use any trawl net, long haul seine, swipe net, mechanical methods for oyster or clam harvest or dredge in designated primary nursery areas."

SECTION 3.(b) The Marine Fisheries Commission shall adopt temporary and permanent rules to implement this section.

SECTION 3.(c) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

SEVERABILITY AND EFFECTIVE DATE

SECTION 4.(a) If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application and, to this end, the provisions of this act are declared to be severable.

SECTION 4.(b) Effective Date; Expiration. – Except as otherwise provided, this act is effective when it becomes law. Sections 1 and 2 of this act expire August 1, 2029.