**South Carolina General Assembly**

118th Session, 2009-2010

**A58, R94, H3131**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Toole, M.A. Pitts and Umphlett

Document Path: l:\council\bills\gjk\20005sd09.docx

Companion/Similar bill(s): 272, 3571

Introduced in the House on January 13, 2009

Introduced in the Senate on April 1, 2009

Last Amended on May 21, 2009

Passed by the General Assembly on May 21, 2009

Became law without Governor's signature, June 3, 2009

Summary: Summer duck

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2008 House Prefiled

12/16/2008 House Referred to Committee on **Invitations and Memorial Resolutions**

1/13/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑59

1/13/2009 House Referred to Committee on **Invitations and Memorial Resolutions** [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑59

3/25/2009 House Committee report: Favorable **Invitations and Memorial Resolutions** [HJ](file:///h:\HJ%20Archive\2009\03-25-09.docx)‑52

3/31/2009 House Amended [HJ](file:///h:\HJ%20Archive\2009\03-31-09.docx)‑69

3/31/2009 House Read second time [HJ](file:///h:\HJ%20Archive\2009\03-31-09.docx)‑69

4/1/2009 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2009\04-01-09.docx)‑32

4/1/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\04-01-09.docx)‑12

4/1/2009 Senate Referred to Committee on **Fish, Game and Forestry** [SJ](file:///h:\SJ%20Archive\2009\04-01-09.docx)‑12

5/12/2009 Senate Committee report: Favorable **Fish, Game and Forestry** [SJ](file:///h:\SJ%20Archive\2009\05-12-09.docx)‑9

5/20/2009 Senate Read second time [SJ](file:///h:\SJ%20Archive\2009\05-20-09.docx)‑64

5/21/2009 Senate Amended [SJ](file:///h:\SJ%20Archive\2009\05-21-09.docx)‑31

5/21/2009 Senate Read third time and returned to House with amendments [SJ](file:///h:\SJ%20Archive\2009\05-21-09.docx)‑31

5/21/2009 House Concurred in Senate amendment and enrolled [HJ](file:///h:\HJ%20Archive\2009\05-21-09.docx)‑125

5/21/2009 House Roll call Yeas‑105 Nays‑2 [HJ](file:///h:\HJ%20Archive\2009\05-21-09.docx)‑125

5/27/2009 Ratified R 94

6/3/2009 Became law without Governor's signature

6/11/2009 Effective date 06/03/09

6/12/2009 Act No. 58

**VERSIONS OF THIS BILL**

[12/16/2008](file:///p:\pprever\2009-10\3131_20081216.docx)

[3/25/2009](file:///p:\pprever\2009-10\3131_20090325.docx)

[3/31/2009](file:///p:\pprever\2009-10\3131_20090331.docx)

[5/12/2009](file:///p:\pprever\2009-10\3131_20090512.docx)

[5/21/2009](file:///p:\pprever\2009-10\3131_20090521.docx)

(A58, R94, H3131)

**AN ACT** **TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑711 SO AS TO DESIGNATE THE “WOOD DUCK” AS THE OFFICIAL STATE DUCK; BY ADDING SECTION 1-1-712 SO AS TO DESIGNATE THE “BOTTLENOSE DOLPHIN” AS THE OFFICIAL STATE MARINE MAMMAL; BY ADDING SECTION 1-1-713 SO AS TO DESIGNATE THE “NORTHERN RIGHT WHALE” AS THE OFFICIAL STATE MIGRATORY MARINE MAMMAL; AND TO AMEND SECTION 50-11-840, RELATING TO PROTECTION OF WILD BIRD NESTS AND EGGS, SO AS TO DEFINE A WILD BIRD NEST AS A NEST WITH BIRDS OR EGGS PRESENT AND TO PROVIDE FOR THE ISSUANCE OF A PERMIT TO POSSESS SUCH NEST OR EGGS OR TO REMOVE AN ACTIVE NEST OR EGGS THAT CONSTITUTE A PUBLIC SAFETY THREAT OR WHEN CAUSING PROPERTY DAMAGE.**

Be it enacted by the General Assembly of the State of South Carolina:

**Official state duck designated**

SECTION 1. Article 9, Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Section 1‑1‑711. The ‘wood duck’ (Aix sponsa) also known as the summer duck and the Carolina duck is designated as the official state duck.”

**Official state marine mammal designated**

SECTION 2. Article 9, Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Section 1-1-712. The ‘bottlenose dolphin’ (Tursiops truncatus) is designated as the official state marine mammal.”

**Official state migratory marine mammal designated**

SECTION 3. Article 9, Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Section 1-1-713. The ‘northern right whale’ (Eubalaena glacialis) is designated as the official state migratory marine mammal.”

**Protection of nest with birds or eggs present**

SECTION 4. Section 50-11-840 of the 1976 Code is amended to read:

“Section 50-11-840. (A) No person may take or destroy, or attempt to take or destroy, an active nest or the eggs of a wild bird or have an active nest or eggs in his possession, except pursuant to a permit issued by the department. An ‘active nest’ means a nest with birds or eggs present.

(B) The department may issue a permit for the removal of an active nest or eggs that constitute a public safety threat or when birds are causing damage to property.”

**Time effective**

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 27th day of May, 2009.

Became law without the signature of the Governor -- 6/3/09.

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