**South Carolina General Assembly**

120th Session, 2013-2014

**A250, R281, S986**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campsen and Young

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Introduced in the Senate on February 4, 2014

Introduced in the House on March 12, 2014

Last Amended on June 3, 2014

Passed by the General Assembly on June 4, 2014

Governor's Action: June 6, 2014, Signed

Summary: Hunting, fishing, or trapping

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/4/2014 Senate Introduced and read first time ([Senate Journal‑page 8](file:///H:\SJ%20Archive\2014\02-04-14.docx))

2/4/2014 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 8](file:///H:\SJ%20Archive\2014\02-04-14.docx))

2/26/2014 Senate Committee report: Favorable with amendment **Fish, Game and Forestry** ([Senate Journal‑page 17](file:///H:\SJ%20Archive\2014\02-26-14.docx))

2/27/2014 Scrivener's error corrected

3/4/2014 Senate Committee Amendment Adopted ([Senate Journal‑page 23](file:///H:\SJ%20Archive\2014\03-04-14.docx))

3/6/2014 Senate Amended ([Senate Journal‑page 25](file:///H:\SJ%20Archive\2014\03-06-14.docx))

3/6/2014 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 25](file:///H:\SJ%20Archive\2014\03-06-14.docx))

3/7/2014 Scrivener's error corrected

3/11/2014 Senate Read third time and sent to House ([Senate Journal‑page 29](file:///H:\SJ%20Archive\2014\03-11-14.docx))

3/12/2014 House Introduced and read first time ([House Journal‑page 14](file:///H:\HJ%20Archive\2014\03-12-14.docx))

3/12/2014 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 14](file:///H:\HJ%20Archive\2014\03-12-14.docx))

3/27/2014 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 3](file:///H:\HJ%20Archive\2014\03-27-14.docx))

4/2/2014 House Requests for debate‑Rep(s). Thayer, Gagnon, Putnam, White, Sandifer, Murphy, Whitmire, Bowen, Jefferson, Ott, Sabb, George, Erickson, Vick, Anthony, Tallon, Forrester, Anderson, Hosey, Hiott, GA Brown, Hardwick, Rhyal, Wood, Hixon, GR Smith, HA Crawford, JR Smith, Bedingfield, Edge ([House Journal‑page 192](file:///H:\HJ%20Archive\2014\04-02-14.docx))

4/10/2014 House Debate adjourned until Tues., 5‑6‑14 ([House Journal‑page 145](file:///H:\HJ%20Archive\2014\04-10-14.docx))

5/13/2014 House Debate adjourned until Wed., 5‑14‑14 ([House Journal‑page 18](file:///H:\HJ%20Archive\2014\05-13-14.docx))

5/14/2014 House Amended ([House Journal‑page 47](file:///H:\HJ%20Archive\2014\05-14-14.docx))

5/14/2014 House Read second time ([House Journal‑page 47](file:///H:\HJ%20Archive\2014\05-14-14.docx))

5/14/2014 House Roll call Yeas‑102 Nays‑0 ([House Journal‑page 50](file:///H:\HJ%20Archive\2014\05-14-14.docx))

5/20/2014 House Read third time and returned to Senate with amendments ([House Journal‑page 22](file:///H:\HJ%20Archive\2014\05-20-14.docx))

5/29/2014 Senate House amendment amended ([Senate Journal‑page 97](file:///H:\SJ%20Archive\2014\05-29-14.docx))

5/29/2014 Senate Roll call Ayes‑36 Nays‑1 ([Senate Journal‑page 97](file:///H:\SJ%20Archive\2014\05-29-14.docx))

5/30/2014 Scrivener's error corrected

6/3/2014 Senate House amendment amended ([Senate Journal‑page 55](file:///H:\SJ%20Archive\2014\06-03-14.docx))

6/3/2014 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 55](file:///H:\SJ%20Archive\2014\06-03-14.docx))

6/3/2014 Senate Returned to House with amendments ([Senate Journal‑page 55](file:///H:\SJ%20Archive\2014\06-03-14.docx))

6/4/2014 House Concurred in Senate amendment and enrolled ([House Journal‑page 22](file:///H:\HJ%20Archive\2014\06-04-14.docx))

6/4/2014 House Roll call Yeas‑102 Nays‑0 ([House Journal‑page 22](file:///H:\HJ%20Archive\2014\06-04-14.docx))

6/5/2014 Ratified R 281

6/6/2014 Signed By Governor

6/13/2014 Effective date 06/06/14

6/16/2014 Act No. 250

**VERSIONS OF THIS BILL**

[2/4/2014](file:///p:\pprever\2013-14\986_20140204.docx)

[2/26/2014](file:///p:\pprever\2013-14\986_20140226.docx)

[2/27/2014](file:///p:\pprever\2013-14\986_20140227.docx)

[3/4/2014](file:///p:\pprever\2013-14\986_20140304.docx)

[3/6/2014](file:///p:\pprever\2013-14\986_20140306.docx)

[3/7/2014](file:///p:\pprever\2013-14\986_20140307.docx)

[3/27/2014](file:///p:\pprever\2013-14\986_20140327.docx)

[5/14/2014](file:///p:\pprever\2013-14\986_20140514.docx)

[5/29/2014](file:///p:\pprever\2013-14\986_20140529.docx)

[5/30/2014](file:///p:\pprever\2013-14\986_20140530.docx)

[6/3/2014](file:///p:\pprever\2013-14\986_20140603.docx)

(A250, R281, S986)

**AN ACT TO AMEND SECTION 50‑1‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HUNTING, FISHING, OR TRAPPING OF GAME WITHOUT THE CONSENT OF A LANDOWNER OR MANAGER, SO AS TO INCREASE THE FINE FOR A VIOLATION OF THIS PROVISION, AND TO PROVIDE THAT THE MAGISTRATES COURT HAS CONCURRENT JURISDICTION TO HEAR FIRST AND SECOND OFFENSE VIOLATIONS UNDER THIS SECTION; AND TO AMEND SECTION 50‑9‑1120, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE POINT SYSTEM FOR VIOLATIONS OF THE PROVISIONS THAT REGULATE THE HUNTING, FISHING, AND TRAPPING OF GAME, SO AS TO REVISE THE POINTS ASSOCIATED WITH CERTAIN VIOLATIONS.**

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

**Hunting, fishing, and trapping of game**

SECTION 1. Section 50‑1‑90 of the 1976 Code is amended to read:

“Section 50‑1‑90. If any person, at any time whatsoever, shall hunt or range on any lands or shall enter thereon, for the purpose of hunting, fishing, or trapping, without the consent of the owner or manager thereof, such person shall be guilty of a misdemeanor and, upon conviction thereof, shall, for a first offense, be fined not more than five hundred dollars or imprisoned for not more than thirty days, for a second offense, be fined not less than five hundred dollars nor more than one thousand dollars or imprisoned for not more than thirty days and, for a third or subsequent offense, be fined not less than one thousand dollars nor more than two thousand five hundred dollars or imprisoned for not more than six months or both. The magistrates court has concurrent jurisdiction to hear first and second offenses under this section. A first or second offense prosecution resulting in a conviction shall be reported by the magistrate or city recorder hearing the case to the communications and records division of the South Carolina Law Enforcement Division which shall keep a record of such conviction so that any law enforcement agency may inquire into whether or not a defendant has a prior record. Only those offenses which occurred within a period of ten years, including and immediately preceding the date of the last offense, shall constitute prior offenses within the meaning of this section.”

**Point violation system**

SECTION 2. Section 50‑9‑1120 of the 1976 Code, as last amended by Act 237 of 2008, is further amended to read:

“Section 50‑9‑1120. There is established the following point system for violations of certain provisions of law:

(1) Common violations:

(a) resisting arrest by the use of force, violence, or weapons against an employee of the department while engaged in his duties, a law enforcement officer aiding in the work of the department, or a federally commissioned employee engaged in like or similar employment: 18;

(b) attempting escape after lawful arrest: 14;

(c) hunting or fishing in a state sanctuary at any time: 14;

(d) hunting, fishing, or trapping out of season, except in a state sanctuary: 10;

(e) selling game or game fish: 14;

(f) taking game or fish in an illegal manner not mentioned specifically elsewhere in this section. However, no points may be assessed pursuant to this subitem for fish taken on the seaward side of the saltwater‑freshwater dividing lines as provided in Section 50‑17‑30: 8;

(g) using a borrowed or altered hunting or fishing license: 10;

(h) taking more than the legal limit of game or fish: 8;

(i) hunting or fishing without a license in possession: 6;

(j) trespassing to hunt, fish, or trap: 14;

(k) violating game management area regulations: 8;

(l) hunting, taking, possessing, or selling alligators in violation of law or department regulations: 14.

(2) Hunting violations:

(a) killing or attempting to kill or molest deer from a motorboat: 14;

(b) night hunting deer or bear: 18;

(c) illegally transporting furs or hides and possessing untagged hides: 10;

(d) trapping quail or wild turkeys: 10;

(e) hunting over bait: 8;

(f) killing or possessing antlerless deer, except as expressly provided by law: 14;

(g) illegally night hunting other game, except deer, or hunting game in prohibited hours: 8;

(h) possessing buckshot illegally: 5;

(i) possessing unplugged gun while hunting, violation of Section 50‑11‑10: 4;

1. killing or possessing a wild turkey during the closed season: 18;

2. killing or possessing a wild turkey hen during the spring gobbler season: 14;

(j) roost shooting wild turkeys between official sunset and official sunrise: 18;

(k) intentional trespassing to hunt, fish, or trap: 18;

(l) shooting wild turkeys over bait: 18;

(m) hunting wild turkeys over bait: 10;

(n) trespassing to hunt waterfowl: 18;

(o) hunting waterfowl over bait: 10;

(p) shooting waterfowl over bait: 10;

(q) hunting waterfowl out of posted season: 15;

(r) taking more than one waterfowl over the legal limit: 15;

(s) illegally possessing, taking, or attempting to take raccoons during the season for hunting without weapons: 14.

(3) Fishing violations:

(a) trapping, netting, or seining game fish illegally: 10;

(b) taking or possessing more than the legal limit of striped bass: 14;

(c) taking or possessing an undersized striped bass: 14.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 5th day of June, 2014.

Approved the 6th day of June, 2014.

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