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Indicates New Matter

AMENDED

May 28, 2014

**H. 4543**

Introduced by Reps. Southard, R.L. Ott, Jefferson, H.A. Crawford, M.S. McLeod, Vick, Hardwick, Williams, Robinson‑Simpson, George, Daning, Munnerlyn, Long, Crosby, Felder, Gagnon, Hayes, Hixon, Howard, Norman, Stavrinakis, V.S. Moss and Knight

S. Printed 5/28/14--S. [SEC 5/29/14 12:51 PM]

Read the first time March 5, 2014.

**A** **BILL**

TO AMEND SECTION 50‑13‑640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL POSSESSION OF BLUE CATFISH, SO AS TO DECREASE THE MAXIMUM LENGTH OF A BLUE CATFISH THAT MAY BE TAKEN ON CERTAIN BODIES OF WATER, TO MAKE A TECHNICAL CHANGE, AND TO ESTABLISH THE DAILY POSSESSION LIMIT FOR BLUE CATFISH TAKEN FROM LAKE MARION AND LAKE MOULTRIE; AND TO AMEND SECTION 50‑9‑1120, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE POINT SYSTEM FOR VIOLATING CERTAIN PROVISIONS THAT REGULATE FISHING AND HUNTING, SO AS TO PROVIDE THAT TAKING OR POSSESSING MORE THAN THE LEGAL CREEL OR SIZE LIMIT OF BLUE CATFISH IS A FOURTEEN POINT VIOLATION.

Amend Title To Conform

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

SECTION 1. Section 50‑13‑640 of the 1976 Code of Laws, as added by Act 114 of 2012, is amended to read:

“Section 50‑13‑640. (A) It is unlawful to possess more than ~~one~~ two blue catfish (Ictalurus furcatus) greater than ~~thirty‑six~~ thirty‑two inches in length in any one day in Lake Marion, Lake Moultrie, or the upper reach of the Santee River, and the Congaree and Wateree Rivers.

(B) The daily possession limit for blue catfish (Ictalurus furcatus) is not more than twenty‑five in Lake Marion, Lake Moultrie, and the upper reach of the Santee River.

(C) The department shall make a study of the blue catfish fishery on the Santee and Cooper River systems and make recommendations on any needed modifications of this section on or before January 2020.

(D) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than three hundred dollars or imprisoned not more than thirty days, or both.”

SECTION 2. Section 50‑9‑1120(3) of the 1976 Code, as last amended by Act 237 of 2008, is further amended to read:

“(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~~.~~ ;

(d) taking or possessing more than the legal creel or size limit of blue catfish: 14.”

SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 4. The Department of Natural Resources must conduct a study on the status of the blue catfish population. The study must be presented to the General Assembly before January 1, 2018.

SECTION 5. This act takes effect April 1, 2015, and shall be automatically repealed on June 30, 2018, unless reauthorized by a joint resolution for that specific purpose.

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