**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 58 TO TITLE 48 SO AS TO ENACT THE ADVERTISING LITTER CONTROL ACT, TO CREATE A CIVIL PENALTY FOR A PERSON THAT DISTRIBUTES ADVERTISING MATTER AFTER BEING NOTIFIED TO CEASE DISTRIBUTION TO A CERTAIN ADDRESS, TO DEFINE THE TERM ADVERTISING MATTER, AND TO ESTABLISH FURTHER PENALTIES FOR FAILURE TO PAY CIVIL FINES.

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

SECTION 1. Title 48 of the 1976 Code is amended by adding:

“CHAPTER 58

Advertising Litter Control Act

Section 48‑58‑10. As used in this section, the term:

(1) ‘Advertising matter’ means any unsolicited papers, handbill, circular, flyer, brochure, or other printed advertising material.

(2) ‘Distributor’ means a person, advertising company, or agent of the advertising company who delivers unsolicited papers to personal property.

(3) ‘Occupant’ means the owner or tenant of the property.

Section 48‑58‑20. It is unlawful for a person to throw, cast, drop, or distribute, or permit to be thrown, cast, dropped, or distributed, any advertising matter in or upon any front yard, courtyard, lawn, or driveway of a residential dwelling in this State or upon any street or sidewalk in front of a residential dwelling in this State after the occupant of the property has notified the distributor to cease the distribution. This prohibition may not be construed to regulate the delivery of advertising matter by the United States Postal Service or the distribution of newspapers that the occupant has subscribed to or other noncommercial matter. Further, the provisions of this section do not prohibit the distribution of advertising matter by hand‑delivery or by affixing or placing the advertising matter on, or in close proximity, to a residential dwelling in a manner that prevents the matter from being scattered or dismantled.

Section 48‑58‑30. A person who violates the provisions of this section is subject to a civil fine not to exceed two hundred dollars for each offense. Any distributor who fails to pay fines levied under this section may have his business license suspended until such time as the fines are paid in full.”

SECTION 2. This act takes effect upon approval by the Governor.

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