**A** **BILL**

TO AMEND ARTICLE 7, CHAPTER 17, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES AGAINST PUBLIC POLICY, BY ADDING SECTION 16-17-770 SO AS TO MAKE IT A MISDEMEANOR FOR ANY PERSON TO EMIT ANY NOISE BEYOND THE BOUNDARIES OF HIS PROPERTY THAT INTERFERES WITH THE ENJOYMENT OF LIFE OR A BUSINESS ACTIVITY AND ALLOWS THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS RELATING TO NOISE LEVELS AND TO INCLUDE PENALTIES FOR VIOLATION OF THIS PROVISION.

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

SECTION 1. Article 7, Chapter 14, Title 16 of the 1976 Code is amended by adding:

“Section 16-17-770. (A) No person shall emit beyond the boundaries of his property any noise that unreasonably interferes with the enjoyment of life or with any lawful business or activity, so as to violate any regulation promulgated by the Department of Health and Environmental Control pursuant to this section.

(B) The Department of Health and Environmental Control shall adopt regulations prescribing limitations on noise emissions beyond the boundaries of the property of any person and prescribe requirements and standards for equipment and procedures for monitoring noise and the collection, reporting, and retention of data resulting from such monitoring. This section shall not apply to any organized amateur or professional sporting activity.

(C) A person violating this provision is guilty of a misdemeanor, and upon conviction, for a first offense, must be fined not less than two nor more than five hundred dollars, or imprisoned for not more than thirty days, or both. For a second or subsequent offense, the fine must not be less than five hundred dollars nor more than one thousand dollars or imprisonment for not more than one year, or both.”

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

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