CHAPTER 19

Special Hunting and Fishing Provisions for Certain Counties and Areas

ARTICLE 1

Cherokee County; Fish and Game Club

**SECTION 50‑19‑10.** Creation of Cherokee Fish and Game Club; purpose; duties of officers.

 There is created hereby a fish and game club for Cherokee County, to be known as Cherokee Fish and Game Club. The purpose of said Club shall be to conserve and propagate game fish and game birds in said county, and to cooperate and assist in the enforcement of all local and State laws to this end. The president of the Club, subject to the rules and bylaws of the Club, shall procure from government and other available sources necessary stock for propagating game fish in the streams of the county and for propagating wild game in the county and shall further such measures as are necessary for acquiring preserves and for otherwise propagating and protecting such fish and game from unlawful destruction. The secretary of the Club shall perform such duties as are prescribed by the bylaws and the constitution of the Club and shall keep an accurate and permanent record of all the meetings of the Club. The Club shall be governed in all respects other than herein set out by the bylaws and constitution of the Club.

HISTORY: 1962 Code Section 28‑1002; 1952 Code Section 28‑1002; 1942 Code Section 1801‑2; 1936 (39) 1311; 1993 Act No. 181, Section 1267.

ARTICLE 3

Darlington County; Advisory Fish and Game Commission

**SECTION 50‑19‑110.** Creation of Darlington County Advisory Fish and Game Commission; membership; terms of office; vacancies.

 There is hereby created the Darlington County Advisory Fish and Game Commission to be composed of seven members who shall be appointed by a majority of the Darlington County legislative delegation. The members of the Commission shall be qualified electors of Darlington County, and not more than one commissioner shall be appointed from any one township. The terms of the commissioners shall be for three years and until their successors are elected and qualify, except that of the members first appointed two were appointed to serve for a term of one year, two for a term of two years and three for a term of three years. Any vacancy shall be filled in the manner of the original appointment.

HISTORY: 1962 Code Section 28‑1091; 1959 (51) 517; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑120.** Officers of Commission; meetings.

 The Commission shall organize by electing one of its members chairman and one of its members secretary, and the commissioners shall meet at such time and place as may be designated by the chairman.

HISTORY: 1962 Code Section 28‑1092; 1959 (51) 517; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑130.** Powers and duties of Commission.

 The Commission shall make studies and recommendations to the department pertaining to the supervision of fish and game in Darlington County, except Prestwood Lake. It shall cooperate with the department in supervising the opening and closing of all fish and game seasons in the county and regulations in connection therewith and control thereof, insofar as consistent with the statutory laws of the State. The Commission shall advise and confer with the county legislative delegation and shall recommend such changes as appear to be necessary in the fish and game laws.

HISTORY: 1962 Code Section 28‑1093; 1959 (51) 517; 1972 (57) 2431; 1993 Act No. 181, Section 1267.

ARTICLE 5

Darlington County; Prestwood Lake Wildlife Refuge Board

**SECTION 50‑19‑210.** Creation of Prestwood Lake Wildlife Refuge Board; membership; terms of office.

 There is hereby created a board to be known as the Prestwood Lake Wildlife Refuge Board. The Board shall be composed of seven members who shall be appointed by the Governor upon the recommendation of a majority of the Darlington County legislative delegation. Three members having been appointed for an initial term of two years and four having been appointed for an initial term of four years, thereafter their successors have been and shall be appointed to serve for regular terms of four years each.

HISTORY: 1962 Code Section 28‑1095; 1957 (50) 177; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑220.** Organization and meetings of Board; compensation of members.

 After their appointments, the members of the Board shall meet immediately and organize and from among themselves shall select one of their members as chairman and one as secretary. The Board shall meet at the call of the chairman or upon the request of a majority of its members. The members shall serve without compensation.

HISTORY: 1962 Code Section 28‑1096; 1957 (50) 177; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑230.** Powers and duties of Board.

 The Board shall have the following powers and duties:

 (1) To govern and manage the Prestwood Lake Wildlife Refuge and to do all things incidental thereto;

 (2) To accept and receive donations, gifts or grants on behalf of the refuge and to use such funds as the Board deems best for the propagation and protection of wildlife in the area;

 (3) To take charge of the refuge and to make recommendations relative to the propagation and protection of wildlife therein, particularly including the posting of signs within this area;

 (4) To report and prosecute all persons trespassing in the area or breaking the game laws relative thereto; and

 (5) To plant and distribute food for wildlife in the area and to encourage and assist other individuals to do likewise in or on property adjacent thereto.

HISTORY: 1962 Code Section 28‑1097; 1957 (50) 177; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑240.** Rules and regulations of Board as to means of taking nongame fish.

 In addition to the powers and duties set forth in Section 50‑19‑230, the Board may adopt and promulgate such rules and regulations relating to the use of baskets, nets, trotlines and other means of taking nongame fish as it may deem advisable. No such rule or regulation shall take effect until approved by the department, and notice of such rule or regulation has been published at least once in a newspaper of general circulation in Darlington County. When any such rule or regulation becomes effective it shall have the force and effect of law. Any person convicted of a violation of a rule or regulation adopted pursuant to this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

HISTORY: 1962 Code Section 28‑1098; 1958 (50) 1999; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑250.** Night fishing prohibited.

 Fishing at night in that portion of Four Hole Swamp known as Bridge Lake, in Dorchester County, is prohibited except during the shad season.

HISTORY: 2010 Act No. 200, Section 12, eff May 28, 2010.

**SECTION 50‑19‑251.** Slade Lake fishing and recreational requirements.

 (A) The lawful size for black bass in Slade Lake in Edgefield County is twelve inches. The lawful catch limit for bass in Slade Lake is two per day, and the lawful catch limit for all other fish is fifteen per day.

 (B) The open season for fishing on Slade Lake is the first day of April and ends on the first day of November. During the open season, fishing is only allowed on Wednesdays, Saturdays, and Sundays, opening one‑half hour before sunrise and closing one‑half hour after sundown. A valid fishing license is required for a person sixteen years of age or older.

 (C) It is unlawful to take any fish of any kind from Slade Lake except by hook and line, which includes poles, rod and reel, and natural or artificial bait, excluding minnows, and no person may use more than two poles at the same time. Nongame fishing devices may not be used.

 (D) It is unlawful on Slade Lake or the recreational area of Slade Lake to:

 (1) use watercraft of any kind on Slade Lake unless the watercraft is operated using oars or an electric trolling motor;

 (2) have rifles, shotguns, or other firearms in one's possession;

 (3) litter;

 (4) have a glass container in one's possession;

 (5) have beer, wine, or other alcoholic beverages in one's possession;

 (6) operate a motor vehicle off designated roadways or park a vehicle outside of designated parking areas.

 (E) A person violating a provision of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than ten dollars or more than one hundred dollars or imprisoned not less than ten days or more than thirty days, or both.

HISTORY: 2010 Act No. 200, Section 13, eff May 28, 2010.

ARTICLE 7

Georgetown County

**SECTION 50‑19‑310.** Fishing on causeway crossing Belle Isle Lake prohibited.

 It shall be unlawful for any person to fish at any time on the causeway crossing Belle Isle Lake on the Old South Island Road in Georgetown County. Any person found guilty of violating the provisions of this section shall be fined not to exceed the sum of twenty‑five dollars or be confined for a period not to exceed thirty days, in the discretion of the court, for each separate offense.

HISTORY: 1962 Code Section 28‑1099; 1957 (50) 255; 1993 Act No. 181, Section 1267.

ARTICLE 9

Greenville County; Lanier Lake

**SECTION 50‑19‑410.** Agreement respecting Lanier Lake.

 The department may enter into an agreement with the owners of Lake Lanier, located in Greenville County, whereby the department may take over the management of the lake and lake property for fisheries and hunting purposes and shall take the necessary steps toward restocking the lake with fish, designating open and closed seasons for fishing and hunting thereon, making rules and regulations by which permits may be issued to persons for fishing and hunting thereon and in all other ways exercising complete control of the waters of the lake in such a manner that will most successfully restock, propagate and protect the fish and game in the lake for the benefit of the public in general.

HISTORY: 1962 Code Section 28‑1031; 1952 Code Section 28‑1031; 1942 (42) 1574; 1952 (47) 2890; 1972 (57) 2431; 1993 Act No. 181, Section 1267.

ARTICLE 10

Spartanburg County; Lake William C. Bowen, Lake Blalock, and the Spartanburg Municipal Reservoir #1

**SECTION 50‑19‑450.** Promulgation of regulations.

 Notwithstanding any other provisions in this title, the department shall promulgate regulations to manage and protect fisheries in Lake William C. Bowen, Lake Blalock, and Spartanburg Municipal Reservoir #1 in Spartanburg County, South Carolina.

HISTORY: 1997 Act No. 116, Section 1.

ARTICLE 11

Greenwood County; Fishing Near Greenwood Power Plant

**SECTION 50‑19‑510.** Fishing in spillway or race permitted.

 Fishing shall be permitted along, in and on the spillway or race south of the floodgates of the Greenwood hydroelectric plant on or near waters of the Saluda River as provided in this article.

HISTORY: 1962 Code Section 28‑1041; 1952 Code Section 28‑1041; 1949 (46) 189; 1952 (47) 2179; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑520.** Erection of fence on each side of race or spillway.

 The Greenwood County Electric Power Commission shall erect on each side of such race or spillway a fence to run to the edge of the water as follows: Along the Newberry side or steam plant side such fence shall be erected at a point two hundred and twenty‑five feet from the south side of the floodgate of the hydroelectric power plant, which shall be at or near the end of the riprap or cement abutment on such side and on the Greenwood side of such spillway or race a fence shall be erected at a point two hundred and twenty‑six feet south of the floodgate of such hydroelectric plant, which shall be at or near the end of the riprap or cement abutment on such side. The fence or line to be erected on either side of such race or spillway shall be of such height and so constructed as not to materially interfere with fishing as herein permitted.

HISTORY: 1962 Code Section 28‑1042; 1952 Code Section 28‑1042; 1949 (46) 189; 1952 (47) 2179; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑530.** Fishing beyond fence line.

 No fishing shall be allowed beyond such fence toward the floodgate on the south side of the plant, nor shall any person be allowed beyond this point, either on the land or on the water, by boat or otherwise, except that any person fishing may cast or fish above the fence toward the floodgates of the hydroelectric plant if he does not go beyond the fence line to be established in accordance herewith.

HISTORY: 1962 Code Section 28‑1043; 1952 Code Section 28‑1043; 1949 (46) 189; 1952 (47) 2179; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑540.** Restrictions on northern and lake side of plant.

 No fishing shall be allowed nor shall any person go within three hundred feet of the northern edge of the floodgates on the northern and lake side of the hydroelectric power plant. The Greenwood County Electric Power Commission shall erect a fence or signs to identify such line so that members of the public shall be fully informed as to its location. Fishers may cast or fish beyond such line provided they do not go beyond it.

HISTORY: 1962 Code Section 28‑1044; 1952 Code Section 28‑1044; 1949 (46) 189; 1952 (47) 2179; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑550.** "No trespass" signs posted.

 The Greenwood County Electric Power Commission shall establish and maintain proper and suitable "no trespass" signs so that members of the public shall be sufficiently warned and notified as to the lines established.

HISTORY: 1962 Code Section 28‑1045; 1952 Code Section 28‑1045; 1949 (46) 189; 1952 (47) 2179; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑560.** Manner of fishing.

 Fishing permitted along such area, as herein provided, shall only be done by hook or line, which shall include poles, rods and reels and natural or artificial bait.

HISTORY: 1962 Code Section 28‑1046; 1952 Code Section 28‑1046; 1949 (46) 189; 1952 (47) 2179; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑570.** Persons fish at own risk.

 Any person fishing or going along the area as herein provided shall do so at his own risk, and no liability shall be imposed upon the counties or the authority involved in any manner whatever. Signs shall be erected at conspicuous places declaring that persons fishing and going along the area as herein authorized shall do so at their own risk.

HISTORY: 1962 Code Section 28‑1049; 1952 Code Section 28‑1049; 1949 (46) 189; 1952 (47) 2179; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑580.** Article does not affect operations of Greenwood County Electric Power Commission.

 The provisions of this article shall not affect in any manner the authority of the Greenwood County Electric Power Commission and the acts of the employees, agents, licensees and servants of the Commission in carrying on their duties and responsibilities in connection with the operation of such plant.

HISTORY: 1962 Code Section 28‑1050; 1952 Code Section 28‑1050; 1949 (46) 189; 1952 (47) 2179; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑590.** Penalties.

 Any person violating any provision of this article shall be guilty of a misdemeanor and shall be punished as follows:

 (1) For a first offense by a fine of not less than twenty‑five dollars nor more than one hundred dollars or by imprisonment of not less than ten days or more than thirty days;

 (2) For a second offense by a fine of not less than fifty dollars nor more than one hundred dollars or by imprisonment of not less than fifteen days or more than thirty days; and

 (3) For a third offense by a fine of not less than two hundred dollars or by imprisonment of not less than thirty days, in the discretion of the court having jurisdiction.

HISTORY: 1962 Code Section 28‑1051; 1952 Code Section 28‑1051; 1949 (46) 189; 1952 (47) 2179; 1993 Act No. 181, Section 1267.

ARTICLE 13

Devices on Little Pee Dee River

**SECTION 50‑19‑710.** Temporary use of nongame fishing devices on the Little Pee Dee River.

 Beginning on July 1, 2012, and for three years thereafter on the Little Pee Dee River, the following nongame devices are permitted:

 (1) Hoop nets:

 (i) recreational license—one;

 (ii) commercial license—twenty‑five;

 (2) Traps:

 (i) recreational license—two;

 (ii) commercial license—twenty‑five.

 To fish these devices only in the Little Pee Dee River the department will issue special tags valid for three years at no cost.

HISTORY: 1962 Code Section 28‑1061; 1952 Code Section 28‑1061; 1946 (44) 1353; 1993 Act No. 181, Section 1267; 2012 Act No. 114, Section 7, eff July 1, 2012.

Effect of Amendment

The 2012 amendment rewrote the section.

**SECTIONS 50‑19‑720 to 50‑19‑780.** Omitted by 2012 Act No. 114, Section 7, eff July 1, 2012.

Editor's Note

Former Section 50‑19‑720 was entitled "Terms of commissioners; organization; election of officers; vacancies" and was derived from 1962 Code Section 28‑1062; 1952 Code Section 28‑1062; 1946 (44) 1353; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑730 was entitled "Meetings of Commission" and was derived from 1962 Code Section 28‑1063; 1952 Code Section 28‑1063; 1946 (44) 1353; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑740 was entitled "Compensation of commissioners" and was derived from 1962 Code Section 28‑1064; 1952 Code Section 28‑1064; 1951 (47) 506; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑750 was entitled "Salaries of conservation officers" and was derived from 1962 Code Section 28‑1066; 1952 Code Section 28‑1066; 1946 (44) 1353; 1952 (47) 2890; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑760 was entitled "Reports on conservation officers; recommendation of suspension or discharge" and was derived from 1962 Code Section 28‑1067; 1952 Code Section 28‑1067; 1946 (44) 1353; 1952 (47) 2890; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑770 was entitled "Fish and game seasons" and was derived from 1962 Code Section 28‑1068; 1952 Code Section 28‑1068; 1946 (44) 1353; 1952 (47) 2890; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑780 was entitled "Unlawful to bathe, fish, or trespass near ocean fishing piers" and was derived from 1962 Code Section 28‑1069; 1956 (49) 1815; 1993 Act No. 181, Section 1267.

ARTICLE 16

Lancaster County; Hunting Deer with Dogs

**SECTION 50‑19‑960.** Use of dogs to hunt deer during open season in certain parts of Lancaster County.

 Notwithstanding any other provision of law, it shall be lawful to hunt deer with dogs from September fifteenth through January first in the following described area of Lancaster County:

 Beginning at a point where the old Kershaw‑Lancaster County line crosses State Road 522, thence easterly along such line to Beaver Creek, thence southerly along Beaver Creek to the present Kershaw‑Lancaster County line, thence westerly along such line to Mud Hole Road, thence northerly along Mud Hole Road to Road 522 in Stoneboro, thence northerly along Road 522 to the point of beginning.

HISTORY: 1980 Act No. 490, Section 1; 1981 Act No. 74, Section 1; 1993 Act No. 181, Section 1267.

ARTICLE 17

Lee County; Duties of Legislative Delegation

**SECTION 50‑19‑1010.** Recommendations as to laws and closed seasons.

 The Lee County legislative delegation shall recommend such change or changes as they deem necessary for the proper protection of the fish and game in Lee County and may recommend closed seasons in case of emergencies.

HISTORY: 1962 Code Section 28‑1102; 1952 Code Section 28‑1102; 1949 (46) 408; 1951 (47) 389; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1020.** Cooperation with and reports to Division of Game.

 The county legislative delegation shall cooperate with the department and shall report semiannually to the department the actions of all enforcement officers in Lee County.

HISTORY: 1962 Code Section 28‑1104; 1952 Code Section 28‑1104; 1949 (46) 408; 1951 (47) 389; 1952 (47) 2890; 1993 Act No. 181, Section 1267.

ARTICLE 19

Marion County; Fish and Game Commission

**SECTION 50‑19‑1110.** Creation of Marion County Fish and Game Commission; appointment and qualifications of members.

 There shall be a board known as the Marion County Fish and Game Commission which shall be composed of seven members. The members of the Commission shall be qualified electors not less than twenty‑five years of age. Not more than one commissioner shall be appointed from any one township. The members shall be appointed by a majority of the Marion County legislative delegation.

HISTORY: 1962 Code Section 28‑1121; 1952 Code Section 28‑1121; 1949 (46) 229; 1950 (46) 1977; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1120.** Terms of commissioners; vacancies.

 Of the seven commissioners first appointed two having served for a term of one year, two for a term of two years and three for a term of three years, their successors have been and shall hereafter be appointed for terms of three years. In case of a vacancy, such vacancy shall be filled in the manner above provided.

HISTORY: 1962 Code Section 28‑1122; 1952 Code Section 28‑1122; 1949 (46) 229; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1130.** Organization of Commission; meetings.

 The Commission shall organize by electing one of its members chairman and one of its members secretary. The commissioners shall meet at least once each quarter, at such time and place as may be designated by the chairman, and at such other meeting or meetings as emergencies may necessitate.

HISTORY: 1962 Code Section 28‑1123; 1952 Code Section 28‑1123; 1949 (46) 229; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1140.** General powers and duties of Commission.

 The Commission shall have general supervision over fish and game in Marion County. It shall cooperate with the department in supervision over the opening and closing of all fish and game seasons in Marion County and regulations in connection therewith and control thereof, in so far as is consistent with the statutory laws of the State.

HISTORY: 1962 Code Section 28‑1124; 1952 Code Section 28‑1124; 1949 (46) 229; 1952 (47) 2890; 1957 (50) 279; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1150.** Commission to recommend changes in laws.

 The Commission shall advise and confer with the county legislative delegation and shall recommend such change or changes as appear to it to be necessary in the fish and game laws in effect in Marion County.

HISTORY: 1962 Code Section 28‑1125; 1952 Code Section 28‑1125; 1949 (46) 229; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1160.** Nomination of enforcement officers.

 The Commission shall nominate enforcement officers for the county by forwarding the name and address of the persons nominated to the county legislative delegation. If a majority of the delegation shall be agreeable to such nomination or nominations, they shall forward the name of the prospective enforcement officer or officers to the director for approval. The enforcement officer or officers so appointed shall devote their entire time to the enforcement of the laws relating to wildlife, marine resources, and natural resources.

HISTORY: 1962 Code Section 28‑1126; 1952 Code Section 28‑1126; 1949 (46) 229; 1952 (47) 2890; 1957 (50) 279; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1170.** Determination of enforcement officers' salaries.

 The Commission shall recommend to the department the salaries to be paid to such enforcement officers from funds apportioned or allotted to Marion County for enforcement of the game and fish laws.

HISTORY: 1962 Code Section 28‑1127; 1952 Code Section 28‑1127; 1949 (46) 229; 1952 (47) 2890; 1957 (50) 279; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1180.** Report on enforcement officers; recommendation of suspension or discharge.

 The Commission shall report to the department the actions of any enforcement officer in Marion County and may recommend suspension or discharge of any enforcement officer.

HISTORY: 1962 Code Section 28‑1128; 1952 Code Section 28‑1128; 1949 (46) 229; 1952 (47) 2890; 1957 (50) 279; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1190.** Shelly Lake fish sanctuary.

 (A) There is created a fish sanctuary in Marion County to be known as Shelly Lake.

 (B) It is unlawful for a person to fish, seine, net, or otherwise enter upon Shelly Lake in Marion County, located one‑half mile south of Red Bluff Landing on the west side of the Little Pee Dee River. A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty‑five dollars or more than one hundred dollars or imprisoned not less than fifteen days or more than thirty days.

HISTORY: 2010 Act No. 200, Section 14, eff May 28, 2010.

ARTICLE 21

Marlboro County; Fish and Wildlife Projects

**SECTION 50‑19‑1310.** Department may acquire land in Marlboro County for fish and wildlife projects.

 The department, in addition to the authority and powers granted it pursuant to Section 50‑13‑1920, may acquire land in Marlboro County for the purpose of creating artificial public fishing lakes, establishing fish hatcheries and fish nurseries, establishing wildlife management areas in conjunction with the Federal Government, or otherwise, and engaging in any other approved wildlife restoration projects.

HISTORY: 1962 Code Section 28‑1131; 1955 (49) 17; 1972 (57) 2431; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1320.** Power of condemnation; procedure.

 In order to carry out the purposes of this article the power of condemnation is conferred upon the board. The power must be exercised to condemn only property necessary, useful, or convenient for the purposes of this article. All land acquired must be in fee simple and just compensation must be paid for it.

HISTORY: 1962 Code Section 28‑1132; 1955 (49) 17; 1972 (57) 2431; 1987 Act No. 173, Section 32; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1330.** Expenditure of funds.

 To carry out the provisions of this article the Department may expend any funds under its control and available for such purposes.

HISTORY: 1962 Code Section 28‑1133; 1955 (49) 17; 1993 Act No. 181, Section 1267.

ARTICLE 25

York County; Hunting Crows

**SECTION 50‑19‑1510.** License unnecessary for hunting crows in York County.

 It shall be lawful for residents of York County to hunt and kill crows in said county without a hunting license.

HISTORY: 1962 Code Section 28‑1191; 1952 Code Section 28‑1191; 1944 (43) 1264; 1993 Act No. 181, Section 1267.

ARTICLE 27

York County; Catawba Lake Fishing Area; Fishing Near India Hook Dam

**SECTION 50‑19‑1610.** Establishment of Catawba Lake Fishing Area.

 That body of backwater lying above the India Hook Dam on the Catawba River in York County, and extending to the North Carolina state line, together with the waters of the streams tributary thereto from the points at which such tributaries empty into the lake to the points where the flow of such streams is normal and the water level not raised by the impounding of the backwaters of the lake, are hereby set apart as the Catawba Lake Fishing Area, such tributary limits to be clearly marked with signs by the department.

HISTORY: 1962 Code Section 28‑1201; 1952 Code Section 28‑1201; 1947 (45) 531; 1952 (47) 2890; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1620.** Fishing near India Hook Dam.

 It is unlawful for any person to fish from a raft, boat or any other floating device in the following described areas on the Catawba River in York County: An area lying downstream from the Catawba dam and powerhouse of the Duke Power Company in York County, such area extending for a distance of approximately three hundred and seventy‑five feet downstream from the south or downstream wall of the powerhouse and extending from the east bank of the river to the southwestern corner of the dam; also an area on the upstream side of the powerhouse extending for a distance of approximately one hundred feet from the northern or upstream wall of the powerhouse and extending from the eastern bank of the pond to the western wall of the powerhouse.

 However, this section shall not be construed to prevent fishing from any point on the rock pile situate below the India Hook Dam or on the banks adjacent to the areas above described. The term "banks adjacent to the areas above described" shall not include any part or extension of the dam.

 Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than fifty dollars or imprisoned for not more than thirty days, in the discretion of the trial court.

HISTORY: 1962 Code Section 28‑1202; 1952 (47) 2889; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1630.** Appropriation and taxes.

 Whatever funds are necessary for the carrying out of the purpose and intent of this article are hereby appropriated for the payment of expenses, including salaries. Whatever the amount, the county auditor and the county treasurer shall fix a levy and collect the taxes upon all of the taxable property in York County to meet the needs of the funds herein appropriated and such taxes shall be collected as any other taxes are collected.

HISTORY: 1962 Code Section 28‑1204; 1952 Code Section 28‑1204; 1947 (45) 531; 1993 Act No. 181, Section 1267.

ARTICLE 29

Catawba‑Wateree Fish and Game Commission; Fishing in Catawba‑Wateree Rivers, Lakes and Reservoir

**SECTION 50‑19‑1710.** Creation of Catawba‑Wateree Fish and Game Commission; membership.

 There is hereby created the Catawba‑Wateree Fish and Game Commission which shall be composed of four members, one of whom shall be appointed by each of the respective county legislative delegations of Chester, Fairfield, Kershaw and Lancaster Counties. The members shall serve at the will of the respective county legislative delegations.

HISTORY: 1962 Code Section 28‑1011; 1952 Code Section 28‑1011; 1949 (46) 335; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1720.** Meetings of Commission; compensation of members; records.

 The Commission shall meet once each month if necessary, and each member in attendance shall be paid the sum of ten dollars per day, plus mileage at the rate of five cents per mile. The Commission shall keep records of all business transacted at such meetings and designate the time and place of meetings.

HISTORY: 1962 Code Section 28‑1012; 1952 Code Section 28‑1012; 1949 (46) 335; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1730.** Powers and duties of Commission.

 The Commission shall cooperate with the department in the enforcement of all fishing laws and regulations within such counties and shall work under the direction of the department in the enforcement of all rules and regulations provided in this article. The Commission shall cooperate with the department in the control of all fishing in the waters, including all backwaters, of the Catawba and Wateree Rivers within said counties, except waters lying more than one hundred yards south of the Wateree Dam in Kershaw County.

HISTORY: 1962 Code Section 28‑1013; 1952 Code Section 28‑1013; 1949 (46) 335; 1952 (47) 2890; 1972 (57) 2431; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1810.** Fishing below Wateree Dam in Kershaw County; liability of power company.

 It shall not be unlawful for anyone to fish from the banks of the watercourse below the Duke Power Company Wateree Dam in Kershaw County within two hundred feet from the dam, but it shall be unlawful to fish from any structure or abutment erected by Duke Power Company, and Duke Power Company shall not be liable for any injury sustained by any fisherman fishing within the two hundred foot prohibited zone. Anyone violating the provisions of this section shall be fined not less than twenty‑five dollars nor more than one hundred dollars or imprisoned for not more than thirty days, or both.

HISTORY: 1962 Code Section 28‑1023; 1957 (50) 62; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1820.** Fishing above Wateree Dam in Kershaw County.

 It shall not be unlawful for anyone to fish from the banks of the watercourse above the Duke Power Company Wateree Dam in Kershaw County within one hundred feet from the dam, but it shall be unlawful to fish from any structure or abutment erected by Duke Power Company. Nothing in this section or Section 50‑25‑320 shall be construed to prohibit fishing in waters within one hundred feet of the dam from a boat which is further than one hundred feet from the dam.

HISTORY: 1962 Code Section 28‑1024; 1961 (52) 663; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1830.** Unlawful to hunt or molest waterfowl or nests on certain waters of Wateree Lake.

 (1) It shall be unlawful for any person to hunt or molest in any manner any species of waterfowl or to molest any nests of any waterfowl on the waters of Wateree Lake between the Wateree Dam and Dutchman's Creek in Kershaw County.

 (2) Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

HISTORY: 1962 Code Section 28‑1025; 1971 (57) 2033; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1840.** Penalties.

 Except as otherwise provided, any person violating any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than twenty‑five dollars nor more than one hundred dollars or sentenced to serve not more than thirty days.

HISTORY: 1962 Code Section 28‑1017; 1952 Code Section 28‑1017; 1949 (46) 335; 1957 (50) 62; 1993 Act No. 181, Section 1267.

ARTICLE 31

Fishing in Lake Marion, Lake Moultrie, the Diversion Canal, the Tail Canal, and Certain Portions of Congaree and Wateree Rivers

**SECTIONS 50‑19‑1910, 50‑19‑1920.** Repealed by 2010 Act No. 200, Section 15, eff May 28, 2010.

Editor's Note

Former Section 50‑19‑1910 was entitled "Holders of temporary nonresident licenses may fish in private ponds in Clarendon County" and was derived from 1962 Code Section 28‑1212; 1952 Code Section 28‑1212; 1951 (47) 258; 1953 (48) 217; 1957 (50) 276; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑1920 was entitled "Fishing regulations applicable to Lake Marion, Lake Moultrie, the Diversion Canal, and the Tail Canal" and was derived from 1962 Code Section 28‑1214; 1952 Code Section 28‑1214; 1951 (47) 258; 1952 (47) 2890; 1955 (49) 476; 1957 (50) 276; 1958 (50) 1615; 1960 (51) 1632; 1961 (52) 151, 152; 1962 (52) 2146; 1964 (53) 2397; 1973 (58) 418; 1975 (59) 621; 1981 Act No. 170, Section 5; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1925.** Department to regulate fisheries in Santee River.

 The Department shall promulgate regulations to manage and protect fisheries in the Santee River.

HISTORY: 1981 Act No. 122, Section 1; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1930.** Repealed by 2010 Act No. 200, Section 15, eff May 28, 2010.

Editor's Note

Former Section 50‑19‑1930 was entitled "Penalties for violating Sections 50‑19‑1910 and 50‑19‑1920" and was derived from 1962 Code Section 28‑1215; 1952 Code Section 28‑1215; 1951 (47) 258; 1975 (59) 621; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑1935.** Department of Health and Environmental Control and Department of Natural Resources to monitor bass fishery in Wateree‑Santee riverine system.

 The Department of Health and Environmental Control, in conjunction with the Department of Natural Resources shall, from the funds appropriated in the General Appropriations Act, monitor the striped bass fishery in the Wateree‑Santee riverine system.

 Both departments shall have oversight responsibility for any studies which may be required as a condition of a DHEC permit.

HISTORY: 1982 Act No. 466, Part II, Section 10; 1993 Act No. 181, Section 1267.

ARTICLE 35

Fishing in and Hunting on Certain Portions of Savannah River in Game Zone No. 2

**SECTION 50‑19‑2210.** Authority for reciprocal agreement with Georgia as to recognition of resident licenses applicable below Clark Hill Dam.

 The department may negotiate a reciprocal agreement with the authorities of the state of Georgia whereby any resident of Georgia properly licensed by that state may fish anywhere in the Savannah River, but not in its tributaries, below Clark Hill Dam with no other license being required, provided any resident of this State, properly licensed by this State, shall be permitted the same fishing privilege.

HISTORY: 1962 Code Section 28‑1254; 1961 (52) 408; 1972 (57) 2431; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑2215.** Authority for reciprocal agreement with Georgia as to recognition of resident fishing licenses applicable between highway bridge and Hartwell Reservoir Dam.

 The department may negotiate a reciprocal agreement with the authorities of the State of Georgia whereby any resident of Georgia properly licensed by that State may fish anywhere in the Savannah River, but not its tributaries, in that area between the highway bridge between Calhoun Falls, South Carolina, and Elberton, Georgia, and the Hartwell Reservoir Dam, including all waters impounded by the Richard B. Russell Dam.

HISTORY: 1985 Act No. 57, Section 1; 1993 Act No. 181, Section 1267.

**SECTIONS 50‑19‑2220, 50‑19‑2230.** Repealed by 2008 Act No. 286, Section 11, eff June 11, 2008.

Editor's Note

Former Section 50‑19‑2220 was entitled "Fishing regulations for certain waters of the Savannah River" and was derived from 1962 Code Section 28‑1255; 1952 (47) 1926; 1953 (48) 365; 1954 (48) 1560; 1959 (51) 359; 1961 (52) 152; 1975 (59) 621; 1981 Act No. 170, Section 6; 1982 Act No. 439, Section 1; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑2230 was entitled "Amendments and additions to fishing regulations" and was derived from 1962 Code Section 28‑1256; 1954 (48) 1560; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑2240.** Procedures for entering into reciprocal agreement with Georgia.

 The department shall also negotiate for and enter into a reciprocal agreement with the authorized officials of the state of Georgia, adopting rules and regulations for the preservation and propagation of fish and game within the area as provided by law, the recognition of the licenses and permits of one state by the other and the enforcement of the laws of the two states over the area involved. If necessary to reach such an agreement or it is deemed advisable for the better protection and management of the game and fish of this area, the department may increase the bag limit to not more than twelve bass and thirty other game fish in possession at one time and may make and agree to other reasonable rules and regulations with the Georgia authorities, not inconsistent with the laws of this State, and may change or alter them from time to time. Any rules and regulations so adopted by the authorized officials of the two states on the above subjects and not inconsistent with the laws of this State shall have the force and effect of law, after being published in newspapers circulating in the area at least once a week for three weeks and after copies thereof have been filed with the Secretary of State, as provided by law. Any reciprocal agreement so entered into shall contain a provision that either party thereto may cancel it upon ninety days' written notice to the other party.

HISTORY: 1962 Code Section 28‑1257; 1954 (48) 1560; 1961 (52) 152; 1975 (59) 621; 1993 Act No. 181, Section 1267.

Code Commissioner's Note

At the direction of the Code Commissioner, "as provided by law" was substituted for "described in Section 50‑19‑2220" in the first sentence.

**SECTION 50‑19‑2250.** Penalties.

 Any person violating any of the provisions of this article, except Section 50‑19‑2210, or any of the rules or regulations adopted and promulgated under the authority thereof, is guilty of a misdemeanor and shall, upon conviction thereof, be subject to a fine of not less than ten nor more than one hundred dollars or imprisonment for not more than thirty days.

HISTORY: 1962 Code Section 28‑1259; 1952 (47) 1926; 1953 (48) 365; 1954 (48) 1560; 1961 (52) 408; 1993 Act No. 181, Section 1267.

ARTICLE 37

Fishing in Lake Greenwood and Boyd's Mill

**SECTION 50‑19‑2310.** Open and closed seasons on striped bass in Lake Greenwood and Boyd's Mill.

 There shall be a closed season on the catching of striped bass in the waters of Lake Greenwood and Boyd's Mill, and it shall be unlawful for any person to have in possession on or immediately adjacent to the waters of the lake and Boyd's Mill any striped bass. The possession by any person of striped bass on or within one‑half mile of the waters of the lake and in its tributaries shall be deemed prima facie a violation of the provisions hereof. However, the season for catching striped bass may be opened at such time as investigation reveals the desirability of opening such season, and such opening may be done by the department with the approval of a majority of the members of the House of Representatives and a majority of the Senators from the counties adjoining the lake.

HISTORY: 1962 Code Section 28‑1271; 1955 (49) 186; 1972 (57) 2431; 1993 Act No. 181, Section 1267.

Code Commissioner's Note

At the direction of the Code Commissioner, "its tributaries" was substituted for "tributaries set forth in Sections 50‑13‑220 and 50‑1‑235" in the second sentence. Section 50‑13‑220 was repealed by 2008 Act No. 237.

**SECTION 50‑19‑2330.** Removal and control of nongame fish.

 The Department may use whatever methods are deemed wise and expedient to remove and control nongame fish in the waters of Lake Greenwood and its immediate tributaries and Boyd's Mill, provided that such methods are conducted under the supervision of personnel of the Department.

HISTORY: 1962 Code Section 28‑1273; 1955 (49) 186; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑2400.** Bank fishing permitted in Lake Greenwood in State Park in Greenwood County.

 Fishing shall be permitted from the bank of Lake Greenwood in that portion of the lake situate within the State Park in Greenwood County.

HISTORY: 1962 Code Section 28‑1281; 1966 (54) 2776; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑2410.** Penalties.

 Except as otherwise provided in this article, any person found guilty of violating any of the provisions of this article shall be fined not less than twenty‑five dollars nor more than one hundred dollars or imprisoned for not more than thirty days, or both.

HISTORY: 1962 Code Section 28‑1279; 1955 (49) 186; 1963 (53) 492; 1993 Act No. 181, Section 1267.

ARTICLE 39

Fishing in Keowee‑Toxaway Lakes in Oconee and Pickens Counties [Repealed]

**SECTIONS 50‑19‑2510 to 50‑19‑2530.** Repealed by 2010 Act No. 200, Section 15, eff May 28, 2010.

Editor's Note

Former Section 50‑19‑2510 was entitled "Fishing regulations for Keowee‑Toxaway Lakes" and was derived from 1962 Code Section 28‑1287; 1969 (56) 722; 1981 Act No. 170, Section 7; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑2520 was entitled "Authority to amend or promulgate regulations" and was derived from 1962 Code Section 28‑1288; 1969 (56) 722; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑2530 was entitled "Penalties" and was derived from 1962 Code Section 28‑1290; 1969 (56) 722; 1993 Act No. 181, Section 1267.

ARTICLE 41

Fishing in Waters of Hartwell Reservoir

**SECTION 50‑19‑2610.** Reciprocal agreement with Georgia as to recognition of resident fishing licenses.

 The Department may negotiate a reciprocal agreement with the authorities of the state of Georgia whereby any resident of Georgia properly licensed by that state may fish anywhere in the Hartwell Reservoir, with no other license being required, provided, any resident of this State, properly licensed by this State, shall be permitted the same privilege of fishing anywhere in the Hartwell Reservoir, with no other license being required.

HISTORY: 1962 Code Section 28‑1294; 1961 (52) 471; 1993 Act No. 181, Section 1267.

**SECTIONS 50‑19‑2620, 50‑19‑2630.** Repealed by 2010 Act No. 200, Section 15, eff May 28, 2010.

Editor's Note

Former Section 50‑19‑2620 was entitled "Fishing regulations for Hartwell Reservoir" and was derived from 1962 Code Section 28‑1295; 1961 (52) 471; 1962 (52) 1948; 1981 Act No. 170, Section 8; 1993 Act No. 181, Section 1267.

Former Section 50‑19‑2630 was entitled "Amendments and additions to regulations" and was derived from 1962 Code Section 28‑1296; 1961 (52) 471; 1993 Act No. 181, Section 1267.

**SECTION 50‑19‑2640.** Procedures for entering into reciprocal agreement with Georgia.

 The Department shall also negotiate for and enter into a reciprocal agreement with the authorized officials of the state of Georgia, adopting rules and regulations for the preservation and propagation of fish and game within the area, the recognition of the licenses and permits of one state by the other and the enforcement of the laws of the two states over the area involved. If necessary to reach such agreement or it is deemed advisable for the better protection and management of the game and fish of this area, the Department may increase the bag limit prescribed by law to not more than twelve bass and thirty other game fish in possession at one time and may make and agree to other reasonable rules and regulations with the Georgia authorities, not inconsistent with the laws of this State, and may change or alter them from time to time. Any rules and regulations so adopted by the authorized officials of the two states, on the above subjects and not inconsistent with the laws of this State, shall have the force and effect of law after being published in newspapers circulating in the area at least once a week for three weeks and after copies thereof have been filed with the Secretary of State, as provided by law. Any reciprocal agreement so entered into shall contain a provision that either party thereto may cancel it upon ninety days' written notice to the other party.

HISTORY: 1962 Code Section 28‑1297; 1961 (52) 471; 1993 Act No. 181, Section 1267.

Code Commissioner's Note

At the direction of the Code Commissioner, "bag limit prescribed by law" in the second sentence was substituted for "bag limit prescribed in Section 50‑13‑220". Section 50‑13‑220 was repealed by 2008 Act No. 237.

**SECTION 50‑19‑2650.** Penalties.

 Any person violating any of the provisions of this article or any of the rules or regulations adopted and promulgated under the authority thereof is guilty of a misdemeanor and shall, upon conviction, be fined not less than ten nor more than one hundred dollars or imprisoned for not more than thirty days.

HISTORY: 1962 Code Section 28‑1299; 1961 (52) 471; 1993 Act No. 181, Section 1267.

ARTICLE 43

Fishing in Boundary Streams Above Hartwell Reservoir

**SECTION 50‑19‑2710.** Enforcement of fishing regulations in boundary streams; authority to establish reciprocal agreements with Georgia.

 Notwithstanding any provision of law to the contrary, the department is hereby authorized to establish and enforce such regulation of fishing in the boundary streams between this State and the state of Georgia above the Hartwell Reservoir as may be necessary to make the regulation by the two states uniform. The department is further authorized to enter into or modify such reciprocal agreements with the state of Georgia as may be necessary to accomplish the purpose of this section.

HISTORY: 1962 Code Section 28‑1301; 1962 (52) 1726; 1972 (57) 2431; 1993 Act No. 181, Section 1267.

ARTICLE 49

Fishing in Fairforest Creek in Union and Spartanburg Counties [Repealed]

**SECTION 50‑19‑3010.** Repealed by 2008 Act No. 286, Section 11, eff June 11, 2008.

Editor's Note

Former Section 50‑19‑3010 was entitled "Lawful methods of catching fish" and was derived from 1962 Code Section 28‑1331; 1955 (49) 288; 1956 (49) 1661; 1993 Act No. 181, Section 1267.