AS PASSED BY THE SENATE

May 21, 2009

**H. 3131**

Introduced by Reps. Toole, M.A. Pitts and Umphlett

S. Printed 5/21/09--S.

Read the first time April 1, 2009.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑711 SO AS TO DESIGNATE THE “SUMMER DUCK” AS THE OFFICIAL STATE DUCK.

Amend Title To Conform

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

SECTION 1. Article 9, Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Section 1-1-711. The ‘wood duck’ (Aix sponsa) also known as the summer duck and the Carolina duck is designated as the official state duck. ”

SECTION 2. Article 9, Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Section 1-1-712. The ‘bottlenose dolphin’ (Tursiops truncatus) is designated as the official state marine mammal.

SECTION 3. Article 9, Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Section 1-1-713. The ‘northern right whale’ (Eubalaena glacialis) is designated as the official state migratory marine mammal.

SECTION 4. Section 50‑11‑840 of the 1976 Code is amended to read:

“Section 50‑11‑840. (A) No person may take or destroy, or attempt to take or destroy, ~~the~~ an active nest or the eggs of ~~any~~ a wild bird or have ~~such~~ an active nest or eggs in his possession, except ~~as permitted in Section 50‑11‑1180~~ pursuant to a permit issued by the department. An ‘active nest’ means a nest with birds or eggs present.

(B) The department may issue a permit for the removal of an active nest or eggs that constitute a public safety threat or when birds are causing damage to property.”

SECTION 5. This act takes effect upon approval by the Governor.

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