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COMMITTEE REPORT

April 1, 2009

**H. 3571**

Introduced by Rep. Umphlett

S. Printed 4/1/09--H.

Read the first time February 18, 2009.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 3571) to amend Section 50‑11‑840, Code of Laws of South Carolina, 1976, relating to the prohibition against taking or destroying the nests or eggs of wild birds, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

JEFF D. DUNCAN for Committee.

**A** **BILL**

TO AMEND SECTION 50‑11‑840, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST TAKING OR DESTROYING THE NESTS OR EGGS OF WILD BIRDS, SO AS TO DEFINE THE TERM “ACTIVE NEST” AND TO PROVIDE THAT THE DEPARTMENT MAY ISSUE PERMITS FOR THE REMOVAL OF CERTAIN ACTIVE NESTS.

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

SECTION 1. 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~~the 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 2. This act takes effect upon approval by the Governor.

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