**A** **BILL**

TO AMEND TITLE 48 OF THE 1976 CODE, BY ADDING CHAPTER 61, TO ENACT THE “SEA TURTLE PROTECTION ACT”, TO PROHIBIT LEAVING PERSONAL ITEMS OR TEMPORARY STRUCTURES THAT INTERFERE WITH, OBSTRUCT, OR PREVENT CLEAR ACCESS TO THE OCEAN BY SEA TURTLES FROM BEING LEFT ON PUBLIC BEACHES OVERNIGHT, TO PROVIDE FOR A TEMPORARY PERMIT, AND TO ESTABLISH APPROPRIATE PENALTIES.

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 61

Sea Turtle Protection Act

Section 48‑61‑10. For the purposes of this chapter the term ‘personal items’ includes, but is not limited to, chairs, umbrellas, windbreakers, surfboards, airfloats, life rafts, tents, cabanas, pavilions, coolers, and volleyball nets.

Section 48‑61‑20. Except as provided in Section 48‑61‑30, on the public beaches of this State, between the hours of nine o’clock in the evening and seven thirty in the morning, it is unlawful to leave personal items or a temporary structure that interferes with, obstructs, or prevents clear access to the ocean by sea turtles.

Section 48‑61‑30. The political subdivision with jurisdiction over the public beach may issue temporary permits exempting the permit holder from the restrictions in Section 48‑61‑20. Temporary permits must be limited to no more than forty‑eight hours and may only be granted to applicants that are organizing a concert, festival, carnival, or similar event open to the public.

Section 48‑61‑40. A person violating the provisions of this chapter is guilty of a misdemeanor and, upon conviction, must be fined no less than five hundred dollars and no more than one thousand dollars or be imprisoned for no more than thirty days, or both. All fines collected pursuant to this section must be credited to the department’s Marine Turtle Conservation Program.

Section 48‑61‑50. Notwithstanding the provisions of Sections 22‑3‑540, 22‑3‑545, and 22‑3‑550, an offense punishable under this chapter may be tried in summary court.”

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

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