**South Carolina General Assembly**

120th Session, 2013-2014

**A234, R239, S1177**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Gregory

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Introduced in the Senate on April 1, 2014

Introduced in the House on April 29, 2014

Last Amended on April 16, 2014

Passed by the General Assembly on May 16, 2014

Governor's Action: June 2, 2014, Signed

Summary: Wildlife management areas

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 4/1/2014 Senate Introduced and read first time ([Senate Journal‑page 5](file:///H%3A%5CSJ%20Archive%5C2014%5C04-01-14.docx))

 4/1/2014 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 5](file:///H%3A%5CSJ%20Archive%5C2014%5C04-01-14.docx))

 4/15/2014 Senate Polled out of committee **Fish, Game and Forestry** ([Senate Journal‑page 24](file:///H%3A%5CSJ%20Archive%5C2014%5C04-15-14.docx))

 4/15/2014 Senate Committee report: Favorable with amendment **Fish, Game and Forestry** ([Senate Journal‑page 24](file:///H%3A%5CSJ%20Archive%5C2014%5C04-15-14.docx))

 4/16/2014 Scrivener's error corrected

 4/16/2014 Senate Committee Amendment Adopted ([Senate Journal‑page 45](file:///H%3A%5CSJ%20Archive%5C2014%5C04-16-14.docx))

 4/16/2014 Senate Read second time ([Senate Journal‑page 45](file:///H%3A%5CSJ%20Archive%5C2014%5C04-16-14.docx))

 4/16/2014 Senate Roll call Ayes‑38 Nays‑1 ([Senate Journal‑page 45](file:///H%3A%5CSJ%20Archive%5C2014%5C04-16-14.docx))

 4/17/2014 Scrivener's error corrected

 4/29/2014 Senate Read third time and sent to House ([Senate Journal‑page 9](file:///H%3A%5CSJ%20Archive%5C2014%5C04-29-14.docx))

 4/29/2014 House Introduced and read first time ([House Journal‑page 76](file:///H%3A%5CHJ%20Archive%5C2014%5C04-29-14.docx))

 4/29/2014 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 76](file:///H%3A%5CHJ%20Archive%5C2014%5C04-29-14.docx))

 5/8/2014 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 123](file:///H%3A%5CHJ%20Archive%5C2014%5C05-08-14.docx))

 5/15/2014 House Read second time ([House Journal‑page 28](file:///H%3A%5CHJ%20Archive%5C2014%5C05-15-14.docx))

 5/15/2014 House Roll call Yeas‑98 Nays‑0 ([House Journal‑page 28](file:///H%3A%5CHJ%20Archive%5C2014%5C05-15-14.docx))

 5/15/2014 House Unanimous consent for third reading on next legislative day ([House Journal‑page 29](file:///H%3A%5CHJ%20Archive%5C2014%5C05-15-14.docx))

 5/16/2014 House Read third time and enrolled ([House Journal‑page 2](file:///H%3A%5CHJ%20Archive%5C2014%5C05-16-14.docx))

 5/29/2014 Ratified R 239

 6/2/2014 Signed By Governor

 6/13/2014 Effective date 06/02/14

 6/16/2014 Act No. 234

**VERSIONS OF THIS BILL**

[4/1/2014](file:///p%3A%5Cpprever%5C2013-14%5C1177_20140401.docx)

[4/15/2014](file:///p%3A%5Cpprever%5C2013-14%5C1177_20140415.docx)

[4/16/2014](file:///p%3A%5Cpprever%5C2013-14%5C1177_20140416.docx)

[4/16/2014-A](file:///p%3A%5Cpprever%5C2013-14%5C1177_20140416A.docx)

[4/17/2014](file:///p%3A%5Cpprever%5C2013-14%5C1177_20140417.docx)

[5/8/2014](file:///p%3A%5Cpprever%5C2013-14%5C1177_20140508.docx)

(A234, R239, S1177)

**AN ACT TO AMEND SECTION 50‑11‑2200, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT, OPERATION, AND MAINTENANCE OF WILDLIFE MANAGEMENT AREAS, SO AS TO PROVIDE THAT CERTAIN ACTS OR CONDUCT ARE PROHIBITED ON STATE LAKES AND PONDS THAT ARE OWNED OR LEASED BY THE DEPARTMENT AND HERITAGE PRESERVES OWNED BY THE DEPARTMENT, TO MAKE TECHNICAL CHANGES, AND TO REVISE THE LIST OF ACTS OR CONDUCT THAT ARE PROHIBITED; AND TO REPEAL SECTION 50-13-2011 RELATING TO THE DEPARTMENT OF NATURAL RESOURCES MANAGEMENT AUTHORITY OVER THE LAKES AND PONDS THAT IT OWNS OR LEASES.**

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

**Areas managed by the Department of Natural Resources**

SECTION 1. Section 50‑11‑2200 of the 1976 Code, as last amended by Act 63 of 2009, is further amended to read:

 “Section 50‑11‑2200. (A) Subject to available funding, the department shall acquire sufficient wildlife habitat through lease or purchase or otherwise to establish wildlife management areas for the protection, propagation, and promotion of fish and wildlife and for public hunting, fishing, and other natural resource dependent recreational use. The department may not have under lease at any one time more than one million six hundred thousand acres in the wildlife management area program. The department may not pay more than fair market value for the lease of lands in the area. The department may not lease land for the program which, during the preceding twenty‑four months, was held under a private hunting lease. However, this restriction does not apply:

 (1) if the former lessee executes a voluntary consent to the proposed wildlife management area lease;

 (2) if the lessor cancels the lease; or

 (3) to any lands which, during the twenty‑four months before June 5, 1986, were in the game management area program.

 (B) The department may promulgate regulations for the protection, preservation, operation, maintenance, and use of wildlife management areas and Heritage Trust areas and those other lands owned by the department.

 (C) The following acts or conduct are prohibited and shall be unlawful on all wildlife management areas, state lakes and ponds owned or leased by the department, heritage preserves owned by the department, and all other lands owned by the department; provided, however, the department may promulgate regulations allowing any of the acts or conduct by prescribing acceptable times, locations, means, and other appropriate restrictions not inconsistent with the protection, preservation, operation, maintenance, and use of such lands and areas:

 (1) hunting or taking wildlife or fish;

 (2) exceeding bag or creel limits;

 (3) hunting or taking wildlife or fish by unauthorized methods, weapons, or ammunition;

 (4) hunting or taking wildlife or fish during closed seasons, days, or times;

 (5) hunting or taking wildlife by aid of bait or feeding or baiting wildlife;

 (6) hiking;

 (7) rock climbing or rappelling;

 (8) operation of motorized and nonmotorized vehicles;

 (9) swimming;

 (10) camping;

 (11) horse riding;

 (12) staging or participating in ‘paintball’, ‘airsoft’, or similar games;

 (13) possession of pets and specialty animals;

 (14) use of fire, fireworks, or explosives;

 (15) polluting or contaminating any land or water;

 (16) acting in a disorderly manner or creating any noise which would result in annoyance to others and no person shall operate or use electronic sound devices except as permitted by the department;

 (17) consumption of alcoholic beverages or possession of open containers of alcoholic beverages on lands and areas designated for hunting or fishing;

 (18) conducting commercial activity or using the area for commercial gain, except by permit;

 (19) gathering, damaging, or destroying rocks, minerals, fossils, artifacts, geological formations, or ecofacts, except by permit;

 (20) gathering, damaging, or destroying plants, fallen vegetation, animals, and fungi except to the extent these activities are authorized by permit, or are incidental to other activities authorized in wildlife management areas by this title;

 (21) entering a closed area or unauthorized entry;

 (22) launching or landing parachutes or parasails or aircraft including models or remotely piloted aircraft and similar devices, except for law enforcement or emergencies;

 (23) placing temporary or permanent structures on these lands and areas, except permitted stands and blinds;

 (24) obstructing or creating a hazard to land or water traffic or obstructing a watercourse;

 (25) operating a motor vehicle in or across watercourses other than at designated fording sites;

 (26) posting bills, signs, or other notices;

 (27) indecently exposing one’s person or performing an indecent act in public;

 (28) abandoning vehicles, equipment, or other material;

 (29) defacing, altering, destroying, or removing any sign, marker, guidepost, fence, gate, lock, barrier, improvement, building, bridge, culvert, structure, natural landmark, or feature;

 (30) geocaching;

 (31) use or possession of metal detectors, except by permit;

 (32) digging or excavating, except by permit;

 (33) use of herbicides or pesticides, excluding insect repellent;

 (34) introducing nonnative or cultivated plants or other organisms, or releasing an animal;

 (35) cutting or collecting of firewood, except by permit;

 (36) discharging weapons or target shooting, except in areas designated by the department;

 (37) trapping;

 (38) shooting onto or across WMA areas closed to hunting or attempting to take wildlife on WMA areas closed to hunting;

 (39) use or operation of watercraft; and

 (40) depositing refuse, garbage, or other waste materials.

 (D) The department or emergency service personnel may undertake these activities for enforcement, emergencies, or management purposes.

 (E) A person violating this section is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty‑five dollars nor more than two hundred dollars or be imprisoned for not more than thirty days, or both.

 (F) As used in this section ‘bait’, ‘baiting’, or ‘feeding’ means placing, depositing, exposing, distributing, or scattering of shelled, shucked, or unshucked corn, wheat, or other grain or food stuffs to constitute an attraction, lure, or enticement for wildlife to, on, or over an area. ‘Baited area’ means an area where bait or feed is directly or indirectly placed, deposited, exposed, distributed, or scattered, and the area remains a baited area for ten days following the complete removal of all bait or feed. Nothing in this section prohibits the hunting and taking of wildlife on or over lands or areas that are not otherwise baited and where:

 (1) there are standing crops on the field where grown, including crops grown for wildlife management purposes; or

 (2) shelled, shucked, or unshucked corn, wheat, or other grain, or seeds that have been distributed or scattered solely as the result of a normal agricultural practice as prescribed by the Clemson University Extension Service or its successor.

 (G) An activity permitted by regulation may be temporarily suspended for up to one hundred eighty days if the activity is adversely affecting natural resources or human health or safety.

 (H) Nothing contained in this section shall interfere with the use and management of lands by a state agency in charge of these lands in the functions of the agency as authorized by law.”

**Repeal**

SECTION 2. Section 50‑13‑2011 of the 1976 Code is repealed.

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 29th day of May, 2014.

Approved the 2nd day of June, 2014.

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