**South Carolina General Assembly**

121st Session, 2015-2016

**A41, R28, H3118**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pitts and White

Document Path: l:\council\bills\ms\7012ahb15.docx

Companion/Similar bill(s): 57, 71

Introduced in the House on January 13, 2015

Introduced in the Senate on February 4, 2015

Last Amended on April 15, 2015

Passed by the General Assembly on April 15, 2015

Governor's Action: May 7, 2015, Signed

Summary: Department of Natural Resources

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/11/2014 House Prefiled

 12/11/2014 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs**

 1/13/2015 House Introduced and read first time ([House Journal‑page 102](file:///h%3A%5CHJ%20Archive%5C2015%5C01-13-15.docx))

 1/13/2015 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 102](file:///h%3A%5CHJ%20Archive%5C2015%5C01-13-15.docx))

 1/29/2015 House Committee report: Favorable with amendment **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 2](file:///h%3A%5CHJ%20Archive%5C2015%5C01-29-15.docx))

 2/3/2015 House Member(s) request name added as sponsor: White

 2/3/2015 House Amended ([House Journal‑page 39](file:///h%3A%5CHJ%20Archive%5C2015%5C02-03-15.docx))

 2/3/2015 House Read second time ([House Journal‑page 39](file:///h%3A%5CHJ%20Archive%5C2015%5C02-03-15.docx))

 2/3/2015 House Roll call Yeas‑111 Nays‑1 ([House Journal‑page 41](file:///h%3A%5CHJ%20Archive%5C2015%5C02-03-15.docx))

 2/4/2015 House Read third time and sent to Senate ([House Journal‑page 24](file:///h%3A%5CHJ%20Archive%5C2015%5C02-04-15.docx))

 2/4/2015 Senate Introduced and read first time ([Senate Journal‑page 38](file:///h%3A%5CSJ%20Archive%5C2015%5C02-04-15.docx))

 2/4/2015 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 38](file:///h%3A%5CSJ%20Archive%5C2015%5C02-04-15.docx))

 2/10/2015 Senate Polled out of committee **Fish, Game and Forestry** ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2015%5C02-10-15.docx))

 2/10/2015 Senate Committee report: Favorable **Fish, Game and Forestry** ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2015%5C02-10-15.docx))

 2/19/2015 Senate Amended ([Senate Journal‑page 6](file:///h%3A%5CSJ%20Archive%5C2015%5C02-19-15.docx))

 2/19/2015 Senate Read second time ([Senate Journal‑page 6](file:///h%3A%5CSJ%20Archive%5C2015%5C02-19-15.docx))

 2/19/2015 Senate Roll call Ayes‑43 Nays‑1 ([Senate Journal‑page 6](file:///h%3A%5CSJ%20Archive%5C2015%5C02-19-15.docx))

 2/20/2015 Scrivener's error corrected

 2/24/2015 Senate Read third time and returned to House with amendments ([Senate Journal‑page 17](file:///h%3A%5CSJ%20Archive%5C2015%5C02-24-15.docx))

 2/27/2015 Scrivener's error corrected

 3/4/2015 House Returned to Senate with amendments

 3/5/2015 Senate Non‑concurrence in House amendment ([Senate Journal‑page 34](file:///h%3A%5CSJ%20Archive%5C2015%5C03-05-15.docx))

 3/5/2015 Senate Roll call Ayes‑0 Nays‑42 ([Senate Journal‑page 34](file:///h%3A%5CSJ%20Archive%5C2015%5C03-05-15.docx))

 3/18/2015 House House insists upon amendment and conference committee appointed Reps. Pitts, Ott, and Hixon ([House Journal‑page 32](file:///h%3A%5CHJ%20Archive%5C2015%5C03-18-15.docx))

 3/18/2015 Senate Conference committee appointed Campsen, Coleman, and S. Martin ([Senate Journal‑page 14](file:///h%3A%5CSJ%20Archive%5C2015%5C03-18-15.docx))

 3/25/2015 House Free conference powers granted ([House Journal‑page 75](file:///h%3A%5CHJ%20Archive%5C2015%5C03-25-15.docx))

 3/25/2015 House Roll call Yeas‑107 Nays‑0 ([House Journal‑page 75](file:///h%3A%5CHJ%20Archive%5C2015%5C03-25-15.docx))

 3/25/2015 House Free conference committee appointed Pits, Ott, Hixon

 3/26/2015 Senate Free conference powers granted ([Senate Journal‑page 48](file:///h%3A%5CSJ%20Archive%5C2015%5C03-26-15.docx))

 3/26/2015 Senate Free conference committee appointed Campsen, Coleman, and S. Martin ([Senate Journal‑page 48](file:///h%3A%5CSJ%20Archive%5C2015%5C03-26-15.docx))

 3/26/2015 Senate Free conference report adopted ([Senate Journal‑page 48](file:///h%3A%5CSJ%20Archive%5C2015%5C03-26-15.docx))

 3/26/2015 Senate Roll call Ayes‑43 Nays‑1 ([Senate Journal‑page 48](file:///h%3A%5CSJ%20Archive%5C2015%5C03-26-15.docx))

 4/15/2015 House Free conference report received and adopted ([House Journal‑page 7](file:///h%3A%5CHJ%20Archive%5C2015%5C04-15-15.docx))

 4/15/2015 House Roll call Yeas‑100 Nays‑0 ([House Journal‑page 10](file:///h%3A%5CHJ%20Archive%5C2015%5C04-15-15.docx))

 5/7/2015 Ratified R 28

 5/7/2015 Signed By Governor

 5/14/2015 Effective date See Act for Effective Date

 6/9/2015 Act No. 41

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**VERSIONS OF THIS BILL**

[12/11/2014](file:///p%3A%5Cpprever%5C2015-16%5C3118_20141211.docx)

[1/29/2015](file:///p%3A%5Cpprever%5C2015-16%5C3118_20150129.docx)

[2/3/2015](file:///p%3A%5Cpprever%5C2015-16%5C3118_20150203.docx)

[2/10/2015](file:///p%3A%5Cpprever%5C2015-16%5C3118_20150210.docx)

[2/19/2015](file:///p%3A%5Cpprever%5C2015-16%5C3118_20150219.docx)

[2/20/2015](file:///p%3A%5Cpprever%5C2015-16%5C3118_20150220.docx)

[2/27/2015](file:///p%3A%5Cpprever%5C2015-16%5C3118_20150227.docx)

[3/4/2015](file:///p%3A%5Cpprever%5C2015-16%5C3118_20150304.docx)

[4/15/2015](file:///p%3A%5Cpprever%5C2015-16%5C3118_20150415.docx)

(A41, R28, H3118)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑525 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING OF WILD TURKEY; BY ADDING SECTION 50‑11‑580 SO AS TO ESTABLISH MALE WILD TURKEY HUNTING SEASON AS MARCH 20 THROUGH MAY 5, DECLARE THE SATURDAY AND SUNDAY PRECEDING MARCH 20 OF EACH YEAR TO BE “SOUTH CAROLINA YOUTH TURKEY HUNTING WEEKEND” AND PROVIDE A PROCEDURE FOR YOUTH TURKEY HUNTING ON THIS WEEKEND, TO PROVIDE A WILD TURKEY BAG LIMIT, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO REPORT TO THE GENERAL ASSEMBLY CERTAIN WILD TURKEY RESOURCES INFORMATION INCLUDING RECOMMENDATIONS REGARDING THE SEASON AND THE BAG LIMITS; TO AMEND SECTIONS 50‑11‑530, 50‑11‑540, AND 50‑11‑544, ALL RELATING TO THE DEPARTMENT OF NATURAL RESOURCES’ REGULATION OF THE HUNTING OF WILD TURKEYS, SO AS TO REVISE THE DEPARTMENT’S AUTHORITY TO REGULATE THE HUNTING OF WILD TURKEYS, TO ALLOW THE DEPARTMENT TO PROMULGATE EMERGENCY REGULATIONS FOR THE PROPER CONTROL OF THE HARVESTING OF WILD TURKEYS, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS THAT REGULATE THE HUNTING OF WILD TURKEYS, AND TO PROVIDE THAT ALL WILD TURKEY TRANSPORTATION TAGS MUST BE VALIDATED AS PRESCRIBED BY THE DEPARTMENT BEFORE A TURKEY IS MOVED FROM THE POINT OF KILL; AND TO SUSPEND THE PROVISIONS OF SECTION 50‑11‑520 UPON THE EFFECTIVE DATE OF THE ACT UNTIL NOVEMBER 7, 2018, WHEN SECTION 50‑11‑580 IS REPEALED.**

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

**Department of Natural Resources authorization to promulgate regulations relating to hunting and taking of wild turkey**

SECTION 1. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑11‑525. The department may promulgate regulations for wildlife management areas, heritage trust lands, and other properties owned or leased by the department to establish seasons, dates, areas, bag limits, and other restrictions for hunting and taking of wild turkey.”

**Season for hunting and taking of wild turkey, bag limits, “Youth Turkey Hunting Weekend” established**

SECTION 2. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑11‑580. (A) Notwithstanding the provisions of Section 50‑11‑520 or any other provision of law or regulation, the season for hunting and taking a male wild turkey is March 20 through May 5.

 (B) The Saturday and Sunday preceding March 20 of each year is declared to be ‘Youth Turkey Hunting Weekend’. A person less than eighteen years of age shall be considered a youth hunter. The license and permit requirements for hunting turkey are waived for youth hunters during Youth Turkey Hunting Weekend; however, youth hunters must still possess a set of turkey tags while hunting during Youth Turkey Hunting Weekend. A licensed hunter at least twenty‑one years of age must accompany a youth hunter in the field and may not harvest or attempt to harvest turkey during Youth Turkey Hunting Weekend, but is permitted to call turkeys for the youth hunter. The licensed hunter that accompanies the youth hunter must have a valid South Carolina hunting license, big game permit, and wildlife management area permit if applicable.

 (C) The season bag limit per person for male wild turkeys is three, which may be taken by any lawful means. The season bag limit contained in this section is statewide.

 (D) The daily bag limit per person for male wild turkeys is two, which may be taken by any lawful means. The daily bag limit contained in this section is statewide.

 (E) The department shall conduct an analysis of the wild turkey resources in South Carolina and issue a draft report recommending any changes to the wild turkey season and bag limits. This report shall be provided to the General Assembly within one hundred eighty days of the conclusion of the third turkey season following the effective date of this section.

 (F) The department shall provide an annual report of the wild turkey resources in South Carolina to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture and Natural Resources Committee.”

**Department of Natural Resources authorization to promulgate regulations relating to harvesting of wild turkeys in game zones**

SECTION 3. Section 50‑11‑530 of the 1976 Code is amended to read:

 “Section 50‑11‑530. The department may promulgate emergency regulations considered necessary and expedient for the proper control of the harvesting of wild turkeys in the game zones.”

**Crimes and offenses, illegal taking of wild turkey, fine increased**

SECTION 4. Section 50‑11‑540 of the 1976 Code is amended to read:

 “Section 50‑11‑540. Any person taking, attempting to take, or having in his possession turkey illegally or taking, attempting to take, or killing turkey in any way not prescribed by the department is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty dollars nor more than five hundred dollars or imprisoned for not more than thirty days. In addition, a person taking a wild turkey unlawfully must be required to make restitution to the department in the amount of up to five hundred dollars for each bird taken. In addition, a person convicted of taking a wild turkey illegally forfeits hunting and fishing privileges for one year for each bird taken.”

**Wild turkey transportation tags, validation of tags required**

SECTION 5. Section 50‑11‑544 of the 1976 Code is amended to read:

 “Section 50‑11‑544. A person who hunts wild turkeys is required to possess a set of wild turkey transportation tags issued by the department at no cost. All turkeys taken must be tagged before being moved from the point of kill. All tags must be validated as prescribed by the department before a turkey is moved from the point of kill. No person may obtain or possess more than one set of turkey tags.”

**Savings clause**

SECTION 6. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

**Time effective**

SECTION 7. This act takes effect on June 30, 2015. Provided, upon the effective date of this act until November 7, 2018, the provisions of Section 50‑11‑520 are suspended. On November 7, 2018, the turkey hunting seasons and bag limits in effect for the respective counties prior to the effective date of this act and delineated in Section 50‑11‑520 are effective, and Section 50‑11‑580 is repealed.

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

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