**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-11-715 SO AS TO DEFINE THE TERM “ADVERTISING MATTER”, CREATE A MISDEMEANOR OFFENSE OF LITTERING THROUGH THE DISTRIBUTION OF ADVERTISING MATTER IN A CERTAIN MANNER, AND TO PROVIDE A PENALTY.

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

SECTION 1. Article 7, Chapter 11, Title 16 of the 1976 Code is amended by adding:

“Section 16‑11‑715. (A) For purposes of this section, the term ‘advertising matter’ means any unsolicited papers, handbill, circular, flyer, brochure, or other printed advertising material in a plastic bag.

(B) It is unlawful for a person to throw, cast, drop, or distribute, or permit to be thrown, cast, dropped, or distributed, any advertising matter wrapped in plastic in or upon any front yard, courtyard, lawn, or driveway of a residential dwelling in this State or upon any street or sidewalk in this State. This prohibition may not be construed to regulate the delivery of advertising matter by the United States Postal Service or the distribution of newspapers or other noncommercial matter. Further, the provisions of this section do not prohibit the distribution of advertising matter by hand-delivery or by affixing or placing the advertising matter on, or in close proximity, to a residential dwelling in a manner that prevents the matter from being scattered or dismantled.

(C) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined two hundred dollars or imprisoned not more than thirty days for each offense.”

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

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