**South Carolina General Assembly**

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**S. 26**

**STATUS INFORMATION**

General Bill

Sponsors: Senator McElveen

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Introduced in the Senate on January 10, 2017

Currently residing in the Senate Committee on **Fish, Game and Forestry**

Summary: Catawba hunting and fishing licenses

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/13/2016 Senate Prefiled

12/13/2016 Senate Referred to Committee on **Fish, Game and Forestry**

1/10/2017 Senate Introduced and read first time ([Senate Journal‑page 28](file:///h:\sj\20170110.docx))

1/10/2017 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 28](file:///h:\sj\20170110.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=26&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/13/2016](file:///p:\pprever\2017-18\26_20161213.docx)

**A** **BILL**

TO AMEND SECTION 50-9-20(A)(5) OF THE 1976 CODE, RELATING TO CATAWBA HUNTING AND FISHING LICENSES, TO BROADEN THE SCOPE OF THE LICENSING TO ALLOW ALL NATIVE AMERICAN INDIANS THE OPPORTUNITY TO RECEIVE FREE LICENSES; TO AMEND SECTION 50-9-570(B), RELATING TO MIGRATORY BIRD PERMITS, TO PROVIDE THAT ALL MEMBERS OF RECOGNIZED NATIVE AMERICAN INDIAN TRIBES IN SOUTH CAROLINA ARE NOT REQUIRED TO CARRY MIGRATORY BIRD PERMITS; AND TO AMEND SECTION 50-11-515, RELATING TO AMERICAN INDIAN ARTISTS, TO ALLOW AMERICAN INDIAN ARTISTS FROM RECOGNIZED TRIBES TO SELL ART WITH WASTE PARTS FROM LEGALLY TAKEN GAME ANIMALS AND TO REQUIRE THE AMERICAN INDIAN ARTIST TO SUBMIT AN AFFIDAVIT SIGNED BY THE CHIEF OF HIS TRIBE CERTIFYING THE ARTIST’S TRIBAL MEMBERSHIP.

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

SECTION 1. Section 50-9-20(A)(5) of the 1976 Code is amended to read:

“(5) the ~~Catawba~~ Native American Indian license expires October 27, 2092.”

SECTION 2. Section 50-9-530 of the 1976 Code is amended to read:

“Section 50-9-530. (A) A resident born before July 1, 1940, may obtain from the department at its designated licensing locations a gratis lifetime hunting and fishing license at no cost.

(B) A resident born after June 30, 1940, who has attained the age of sixty‑four years may obtain from the department at its designated licensing locations a senior lifetime hunting and fishing license for nine dollars, one dollar of which the issuing sales vendor may retain.

(C) A resident born after June 30, 1979, who has attained the age of sixty‑four years and who has not completed the required hunter education certification, may obtain a senior lifetime fishing license for nine dollars, one dollar of which the issuing sales vendor may retain. Upon completion of the hunter education certification the licensee may apply to the department for the additional senior lifetime hunting privileges at no cost.

(D) A member of ~~the Catawba~~ a Native American Indian Tribe, recognized by the United States government or the South Carolina Commission for Minority Affairs, who is a resident of this State, upon application to the department at its designated licensing locations may obtain a ~~Catawba~~ Native American Indian hunting and fishing license at no cost. ~~A certification must be included with the application from the Chief of the Catawba Indian Tribe stating the applicant is a bona fide member of the tribe.~~ Along with the application, a Native American Indian must submit an affidavit, signed by the chief of his tribe certifying the applicant is a member of the chief’s tribe. The Department of Natural Resources may develop a form affidavit to use for all Native American Indian hunting and fishing licenses.

(E) A member of ~~the Catawba~~ a Native American Indian Tribe, who is a resident of this State born after June 30, 1979, and who has not completed the required hunter education certification, may obtain a ~~Catawba~~ Native American Indian fishing license at no cost. Upon completion of the hunter education certification the licensee may apply to the department for the additional ~~Catawba~~ Native American Indian hunting privileges at no cost.

(F) Gratis, senior, and ~~Catawba~~ Native American Indian licenses hunting privileges include statewide hunting, hunting big game, hunting on wildlife management area lands, and hunting migratory waterfowl. The fishing privileges of these licenses include freshwater fishing, freshwater fishing using a set hook, and saltwater fishing.

(G) There is no cost to a ~~Catawba~~ Native American Indian hunting and fishing licensee for any other tags required by law for recreational hunting and fishing except for those department hunting and fishing activities controlled by lottery.”

SECTION 3. Section 50-9-570(B) of the 1976 Code is amended to read:

“(B) Residents who have attained the age of sixty‑four and hold a lifetime statewide hunting license, lifetime statewide combination license, gratis lifetime hunting and fishing license, senior lifetime hunting and fishing license, or ~~Catawba~~ Native American Indian hunting and fishing license are not required to obtain a migratory game bird permit.”

SECTION 4. Section 50-11-515 of the 1976 Code is amended to read:

“Section 50-11-515. (A) ~~An~~ A Native American Indian artist, who is a member of a tribe recognized by (1) Public Law 101‑644, the Indian Arts and Crafts Board Act, and (2) the state’s Commission on Minority Affairs pursuant to Section 1‑31‑40, ~~may use wild turkey feathers in arts and crafts that are offered for sale and sold to the general public~~ is not restricted from the sale to the general public of any traditional craft based upon the use of waste parts of any legally taken game animal, if the artist has on his person a tribal identification card demonstrating his authorization pursuant to this section ~~the Indian Arts and Crafts Board Act~~ .

(B) ~~This section does not authorize the sale of other parts of wild turkeys, whether taken lawfully or unlawfully, including, but not limited to, capes, beards, and fans~~ Prior to receiving a tribal identification card required by this section, a Native American Indian artist must submit an affidavit, signed by the chief of his tribe, to the South Carolina Commission on Minority Affairs certifying the Native American Indian artist is a member of the tribe. The South Carolina Commission on Minority Affairs may develop a form affidavit for use by all Native American Indian artists seeking tribal identification cards.”

SECTION 5. This act takes effect upon approval by the Governor.

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