**South Carolina General Assembly**

122nd Session, 2017-2018

**A74, R110, H3719**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Burns, Hiott, Hixon, Chumley, Bannister and G.R. Smith

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Introduced in the House on February 9, 2017

Introduced in the Senate on February 28, 2017

Last Amended on February 23, 2017

Passed by the General Assembly on May 9, 2017

Governor's Action: May 19, 2017, Signed

Summary: Fires

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/9/2017 House Introduced and read first time ([House Journal‑page 15](file:///h%3A%5Chj%5C20170209.docx))

 2/9/2017 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 15](file:///h%3A%5Chj%5C20170209.docx))

 2/14/2017 House Member(s) request name added as sponsor: Hixon, Chumley, Bannister, G.R.Smith

 2/16/2017 House Committee report: Favorable with amendment **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 3](file:///h%3A%5Chj%5C20170216.docx))

 2/22/2017 House Requests for debate‑Rep(s). JE Smith, Gilliard, Jefferson, Ott, Mack, Robinson‑Simpson, Williams ([House Journal‑page 13](file:///h%3A%5Chj%5C20170222.docx))

 2/23/2017 House Amended ([House Journal‑page 22](file:///h%3A%5Chj%5C20170223.docx))

 2/23/2017 House Read second time ([House Journal‑page 22](file:///h%3A%5Chj%5C20170223.docx))

 2/23/2017 House Roll call Yeas‑94 Nays‑6 ([House Journal‑page 25](file:///h%3A%5Chj%5C20170223.docx))

 2/23/2017 House Unanimous consent for third reading on next legislative day ([House Journal‑page 26](file:///h%3A%5Chj%5C20170223.docx))

 2/24/2017 House Read third time and sent to Senate ([House Journal‑page 2](file:///h%3A%5Chj%5C20170224.docx))

 2/28/2017 Senate Introduced and read first time ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20170228.docx))

 2/28/2017 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20170228.docx))

 5/3/2017 Senate Recalled from Committee on **Fish, Game and Forestry** ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20170503.docx))

 5/8/2017 Senate Read second time ([Senate Journal‑page 24](file:///h%3A%5Csj%5C20170508.docx))

 5/8/2017 Senate Roll call Ayes‑40 Nays‑0 ([Senate Journal‑page 24](file:///h%3A%5Csj%5C20170508.docx))

 5/9/2017 Senate Read third time and enrolled ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20170509.docx))

 5/15/2017 Ratified R 110

 5/19/2017 Signed By Governor

 5/25/2017 Effective date 5/19/17

 5/31/2017 Act No. 74

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3719&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/9/2017](file:///p%3A%5Cpprever%5C2017-18%5C3719_20170209.docx)

[2/16/2017](file:///p%3A%5Cpprever%5C2017-18%5C3719_20170216.docx)

[2/23/2017](file:///p%3A%5Cpprever%5C2017-18%5C3719_20170223.docx)

[5/3/2017](file:///p%3A%5Cpprever%5C2017-18%5C3719_20170503.docx)

(A74, R110, H3719)

**AN ACT TO AMEND SECTION 48‑35‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE FORESTER’S AUTHORITY TO DIRECT THAT CERTAIN FIRES NOT BE STARTED, SO AS TO PROVIDE THAT THE STATE FORESTER MAY PROHIBIT ALL OPEN BURNING EXCEPT FIRES USED FOR NONRECREATIONAL PURPOSES; AND TO AMEND SECTION 48‑35‑60, RELATING TO PENALTIES ASSOCIATED WITH THE STARTING OF UNLAWFUL FIRES, SO AS TO REVISE THESE PENALTIES.**

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

**State Forester’s authority to regulate fires**

SECTION 1. Section 48‑35‑50 of the 1976 Code is amended to read:

 “Section 48‑35‑50. The State Forester may direct at any time, when deemed necessary in the interest of public safety, that fires covered by this chapter not be started. The State Forester also may prohibit all open burning regardless of whether a permit or notification is required, including campfires, bonfires, and other fires for recreational purposes. This prohibition shall not apply to fires used for nonrecreational purposes such as those for human warmth or for the preparation of food for immediate consumption.”

**Penalties**

SECTION 2. Section 48‑35‑60 of the 1976 Code is amended to read:

 “Section 48‑35‑60. Any person violating the provisions of this chapter may be deemed guilty of a misdemeanor and, upon conviction, may be fined not more than two hundred dollars or imprisoned for not more than thirty days for a first offense. For any second or subsequent offense, a fine of not less than five hundred dollars or imprisonment for not more than sixty days, or both may be imposed in the discretion of the court. ‘Subsequent offense’, as used in this section, shall mean an offense committed within ten years of a previous offense.”

**Time effective**

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

Ratified the 15th day of May, 2017.

Approved the 19th day of May, 2017.

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