**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 4976**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. McCoy, Stavrinakis, Arrington, Crosby, Daning, Gilliard, Cogswell, W. Newton, Bennett, Hewitt, Brown, Pendarvis, Yow, Blackwell, Hixon and Forrest

Document Path: l:\council\bills\gt\5455cm18.docx

Introduced in the House on February 21, 2018

Introduced in the Senate on March 13, 2018

Last Amended on March 8, 2018

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

Summary: Watercraft abandonment

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/21/2018 House Introduced and read first time ([House Journal‑page 13](file:///h:\hj\20180221.docx))

2/21/2018 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 13](file:///h:\hj\20180221.docx))

3/1/2018 House Member(s) request name added as sponsor: Yow, Blackwell, Hixon, Forrest

3/1/2018 House Committee report: Favorable with amendment **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 5](file:///h:\hj\20180301.docx))

3/8/2018 House Amended ([House Journal‑page 61](file:///h:\hj\20180308.docx))

3/8/2018 House Read second time ([House Journal‑page 61](file:///h:\hj\20180308.docx))

3/8/2018 House Roll call Yeas‑88 Nays‑0 ([House Journal‑page 61](file:///h:\hj\20180308.docx))

3/8/2018 House Unanimous consent for third reading on next legislative day ([House Journal‑page 63](file:///h:\hj\20180308.docx))

3/9/2018 House Read third time and sent to Senate ([House Journal‑page 3](file:///h:\hj\20180309.docx))

3/13/2018 Senate Introduced and read first time

3/13/2018 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 11](file:///h:\sj\20180313.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4976&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/21/2018](file:///p:\pprever\2017-18\4976_20180221.docx)

[3/1/2018](file:///p:\pprever\2017-18\4976_20180301.docx)

[3/8/2018](file:///p:\pprever\2017-18\4976_20180308.docx)

~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

March 8, 2018

**H. 4976**

Introduced by Reps. McCoy, Stavrinakis, Arrington, Crosby, Daning, Gilliard, Cogswell, W. Newton, Bennett, Hewitt, Brown, Pendarvis, Yow, Blackwell, Hixon and Forrest

S. Printed 3/8/18--H.

Read the first time February 21, 2018.

**A** **BILL**

TO AMEND SECTION 50‑21‑190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ABANDONMENT OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO PROVIDE THAT A SHERIFF MAY ENFORCE THE PROVISIONS CONTAINED IN THIS SECTION UNDER CERTAIN CIRCUMSTANCES.

Amend Title To Conform

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

SECTION 1. Section 50‑21‑190 of the 1976 Code is amended to read:

“Section 50‑21‑190. (A) It is unlawful to abandon a watercraft or outboard motor on the public lands or waters of this State or on private property without permission of the property owner. This section does not apply to persons who abandon a watercraft in an emergency for the safety of the persons onboard; however, after the emergency is over, the owner and operator of the abandoned watercraft shall make a bona fide attempt to recover the watercraft.

(B) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars or imprisoned up to thirty days, or both. In addition, the owner must remove the abandoned watercraft within fourteen days of conviction. The magistrates and municipal courts are vested with jurisdiction for cases arising under this section.

(C) An abandoned watercraft as identified by the department may be removed at the risk and expense of the owner and disposed of by any governmental agency that has jurisdiction over the area where the abandoned watercraft is located.

(D) The department must conduct investigations of any watercraft subject to the provisions of this section to determine the status of the watercraft as abandoned. The department must send written notice and make additional reasonable efforts to notify the last known owner, if any, of the status of the watercraft. If efforts to notify fail, then the department must post a notice on the watercraft advising that the watercraft is abandoned. If the owner claims the watercraft within forty‑five days of the date the notice is posted, the watercraft is not considered abandoned.

(E) A watercraft identified by the department as abandoned for at least ninety days may be claimed by any person or entity as abandoned property.

(F) If the department fails to enforce the provisions contained in this section within thirty days of receiving notice of a violation, then the sheriff or local government whose jurisdiction covers the location in which the abandonment occurred may enforce these provisions fifteen days after providing the department notice of its intention to commence an enforcement action.

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

‑‑‑‑XX‑‑‑‑