**A** **BILL**

TO AMEND SECTION 50‑5‑17, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES FLOUNDER STUDY PROGRAM, SO AS TO DELETE THE PROVISIONS RELATING TO THE ESTABLISHMENT, SUBJECT MATTER, AND DURATION OF THE PROGRAM, TO DELETE THE PROVISIONS THAT ALLOW AND DISALLOW CERTAIN ACTIVITIES DURING THE STUDY PROGRAM, TO DELETE THE TERM “MOTOR FUEL” AND ITS DEFINITION, AND TO PROVIDE THAT IT IS UNLAWFUL TO USE ANY TYPE OF ARTIFICIAL ILLUMINATION PRODUCED BY MOTOR FUEL‑POWERED GENERATORS WHILE GIGGING OR FISHING FOR FLOUNDER IN CERTAIN WATERS.

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

SECTION 1. Section 50‑5‑17 of the 1976 Code, as last added by Act 140 of 2010, is amended to read:

“Section 50‑5‑17. ~~(A)~~ ~~There is established the Flounder Population Study Program to be administered by the Department of Natural Resources. The program shall study the effects of flounder catch limits and the prohibition of artificial illumination produced by motor fuel powered generators on flounder (Paralichthys species), located in the waters of Pawleys Inlet north to the northern terminus of Main Creek at Garden City Beach. For purposes of this resolution, "gigging" means using a prong, spear, or similar device, including a bow and arrow to spear a fish.~~

~~(B)~~ ~~During the term of the program in the area defined in subsection (A):~~

~~(1)~~ ~~the lawful flounder gigging and fishing catch limit is ten per day for any individual, not to exceed twenty flounder in any one day on any boat;~~

~~(2)~~ It is unlawful to use any type of artificial illumination produced by motor fuel powered generators while gigging or fishing for flounder from a boat or while wading in the ~~water~~ waters of Pawleys Inlet north to the northern terminus of Main Creek at Garden City Beach and Murrells Inlet.

~~(C)~~ ~~The program shall run for five years, beginning January 1, 2010, and ending June 30, 2014.~~

~~(D)~~ ~~For purposes of this section, ‘motor fuel’ has the same meaning as defined in Section 12‑28‑110(39).~~”

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

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