**A** **BILL**

TO AMEND SECTION 50-1-90 OF THE 1976 CODE, RELATING TO HUNTING, FISHING, OR TRAPPING WITHOUT CONSENT ON THE LANDS OF OTHERS AND RELATED PENALTIES, TO PROVIDE A PENALTY FOR ILLEGALLY DUMPING LITTER OR SOLID WASTE IN EXCESS OF FIFTEEN POUNDS ON ANOTHER PERSON’S PRIVATE PROPERTY.

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

SECTION 1. Section 50-1-90 of the 1976 Code is amended to read:

“Section 50-1-90. (A) If any person, at any time whatsoever on any lands without the consent of the owner or manager thereof, shall hunt or range ~~on any lands or~~; shall enter ~~thereon,~~ for the purpose of hunting, fishing, or trapping; or shall illegally dump litter or solid waste in excess of fifteen pounds, ~~without the consent of the owner or manager thereof,~~ such person shall be guilty of a misdemeanor and, upon conviction thereof, shall:~~,~~

(1) for a first offense, be fined not more than five hundred dollars or imprisoned for not more than thirty days;~~,~~

(2) for a second offense, be fined not less than five hundred dollars nor more than one thousand dollars or imprisoned for not more than thirty days; and~~,~~

(3) for a third or subsequent offense, be fined not less than one thousand dollars nor more than two thousand five hundred dollars or imprisoned for not more than six months or both.

(B) The magistrates court has concurrent jurisdiction to hear first and second offenses under this section.

(C) A first or second offense prosecution resulting in a conviction shall be reported by the magistrate or city recorder hearing the case to the communications and records division of the South Carolina Law Enforcement Division which shall keep a record of such conviction so that any law enforcement agency may inquire into whether or not a defendant has a prior record. Only those offenses which occurred within a period of ten years, including and immediately preceding the date of the last offense, shall constitute prior offenses within the meaning of this section.”

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

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