**A** **BILL**

TO AMEND SECTION 50‑11‑760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING FROM CERTAIN PUBLIC ROADS AND RAILROAD RIGHTS OF WAY, SO AS TO PROHIBIT HUNTING FROM A PUBLIC ROAD.

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

SECTION 1. Section 50‑11‑760 of the 1976 Code is amended to read:

“Section 50‑11‑760**.** (A) It is unlawful for a person to hunt from a public road or railroad ~~right‑of‑way if the person does not have permission to hunt the land immediately adjacent to the public road or railroad right‑of‑way~~ right of way.

(B)(1) For purposes of this section, ‘hunting’ includes:

(a) taking ~~deer~~ any animal by occupying stands for that purpose; or

(b) possessing, carrying, ~~or~~ having readily accessible, or discharging:

(i) a loaded centerfire rifle; or

(ii) a shotgun loaded with shot size larger than number four.

(2) For purposes of this section~~,~~:

(a) ‘Loaded’ means a weapon within which any ammunition is contained.

(b) ‘Public road’ means a public roadway, shoulder, bridge, or median.

(3) For purposes of this section, the terms ‘possessing’, ‘carrying’, and ‘having readily accessible’ do not include a centerfire rifle or shotgun which is contained in a:

(a) closed compartment;

(b) closed vehicle trunk; or ~~a~~

(c) vehicle traveling on a public road.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars ~~nor~~ but not more than five hundred dollars or imprisoned ~~for~~ not more than thirty days.

(D) In addition to any other penalties, the department must suspend the hunting privileges of a person convicted of violating this section for one year from the date of the conviction.”

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

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