~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 11, 2020

**H. 5108**

Introduced by Rep. Herbkersman

S. Printed 3/11/20--H.

Read the first time February 5, 2020.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 5108) to amend the Code of Laws of South Carolina, 1976, by adding Section 50‑5‑1713 so as to provide limits for cobia caught in the waters of this, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

DAVID R. HIOTT for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑5‑1713 SO AS TO PROVIDE LIMITS FOR COBIA CAUGHT IN THE WATERS OF THIS STATE AND PROHIBIT THE TAKING OR POSSESSION OF COBIA WHEN FEDERAL REGULATIONS PROVIDE FOR THE CLOSURE OF A RECREATIONAL OR COMMERCIAL COBIA FISHERY IN THE WATERS OF THE SOUTH ATLANTIC OCEAN; AND TO AMEND SECTION 50‑5‑2730, AS AMENDED, RELATING TO THE APPLICATION OF FEDERAL FISHING REGULATIONS IN THE WATERS OF THIS STATE, SO AS TO REMOVE THE EXCEPTION FOR COBIA.

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

SECTION 1. Article 17, Chapter 5, Title 50 of the 1976 Code is amended by adding:

“Section 50‑5‑1713. (A) The following limits to cobia (Rachycentron canadum) are:

(1) one per person per day and no more than three per boat per day taken or possessed recreationally within the Southern Cobia Management Zone from June first to April thirtieth subject to a minimum size requirement of thirty‑six inches in fork length. It is unlawful to take or possess cobia in the Southern Cobia Management Zone from May first to May thirty‑first;

(2) one per person per day and no more than six per boat per day taken or possessed recreationally in the waters of this State outside of the Southern Cobia Management Zone subject to a minimum size requirement of thirty‑six inches in fork length;

(3) two per licensed commercial fisherman per day and no more than six per boat per day taken or possessed commercially subject to a minimum size requirement of thirty‑three inches in fork length.

(B) It is unlawful to sell cobia taken from the waters of this State. All cobia taken commercially from waters outside of this State must be sold to a licensed wholesale dealer who also is a federally permitted dealer.

(C) It is unlawful to take or possess cobia when federal regulations provide for the closure of the recreational or commercial cobia fishery in the waters of the South Atlantic Ocean.”

SECTION 2. Section 50‑5‑2730(B) of the 1976 Code, as last amended by Act 210 of 2018, is further amended to read:

“(B) This provision does not apply to~~:~~

~~(1)~~ black sea bass (Centropristis striata) whose lawful catch limit is five fish per person per day or the same as the federal limit for black sea bass, whichever is higher. The lawful minimum size is thirteen inches total length. Additionally, there is no closed season on the catching of black sea bass (Centropristis striata)~~;~~

~~(2)~~ ~~cobia (Rachycentron canadum) located in the Southern Cobia Management Zone. Subject to a minimum size requirement of thirty‑six inches in fork length, possession of cobia caught in the Southern Cobia Management Zone is limited to one per person per day, and no more than three per boat per day, from June first to April thirtieth. It is unlawful to take and possess cobia in the Southern Cobia Management Zone from May first to May thirty‑first, and at any time federal regulations provide for the closure of the recreational cobia season in the waters of the South Atlantic Ocean; or~~

~~(3)~~ ~~cobia (Rachycentron canadum) located in the waters of this State outside of the Southern Cobia Management Zone. Subject to a minimum size requirement of thirty‑six inches in fork length, possession of cobia caught in the waters of this State outside of the Southern Cobia Management Zone is limited to one per person per day, and no more than six per boat per day~~.”

SECTION 3. This act takes effect on July 1, 2020.

‑‑‑‑XX‑‑‑‑