~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 1, 2019

**S. 575**

Introduced by Senators Campsen, McElveen and Martin

S. Printed 5/1/19--H.

Read the first time April 3, 2019.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (S. 575) to amend Section 50‑11‑544 of the 1976 Code, relating to wild turkey hunting and transportation tags, to provide costs for wild turkey, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 50‑11‑544 of the 1976 Code is amended to read:

“Section 50‑11‑544. A person who hunts wild turkeys is required to possess a ~~set of~~ wild turkey ~~transportation tags~~ tag issued by the department ~~at no cost~~. All turkeys taken must be tagged before being moved from the point of kill. All tags must be validated as prescribed by the department before a turkey is moved from the point of kill. No ~~person~~ resident may obtain or possess more than ~~one set of~~ three wild turkey tags, and no nonresident may obtain or possess more than two wild turkey tags.”

SECTION 2. Section 50‑11‑580 of the 1976 Code is amended to read:

“Section 50‑11‑580. (A) ~~Notwithstanding the provisions of Section 50‑11‑520 or any other provision of law or regulation, the~~ The season for hunting and taking a male wild turkey is:

(1) in Game Zones 1 and 2, ~~March 20~~ April 1 through May ~~5~~ 10; and

(2) in Game Zones 3 and 4, March 22 through April 30.

(B) ~~The Saturday and Sunday preceding March 20 of each year is declared to be ‘Youth Turkey Hunting Weekend’. A person less than eighteen years of age shall be considered a youth hunter. The license and permit requirements for hunting turkey are waived for youth hunters during Youth Turkey Hunting Weekend; however, youth hunters must still possess a set of turkey tags while hunting during Youth Turkey Hunting Weekend. A licensed hunter at least twenty‑one years of age must accompany a youth hunter in the field and may not harvest or attempt to harvest turkey during Youth Turkey Hunting Weekend, but is permitted to call turkeys for the youth hunter. The licensed hunter that accompanies the youth hunter must have a valid South Carolina hunting license, big game permit, and wildlife management area permit if applicable~~ The season bag limit for male wild turkeys is three statewide for residents and two statewide for nonresidents. The daily bag limit is one, provided that:

(1) only one male wild turkey may be taken from April 1 through April 10 from within Game Zones 1 and 2; and

(2) only one male wild turkey may be taken from March 22 through March 31 from within Game Zones 3 and 4.

(C) ~~The season bag limit for male wild turkeys is three, which may be taken by any lawful means. The season bag limit contained in this section is statewide~~ It is unlawful for a person to take a female wild turkey unless authorized by the department pursuant to Section 50‑11‑500(3).

(D) ~~The daily bag limit per person for male wild turkeys is two, which may be taken by any lawful means. The daily bag limit contained in this section is statewide.~~

~~(E)~~ ~~The department shall conduct an analysis of the wild turkey resources in South Carolina and issue a draft report recommending any changes to the wild turkey season and bag limits. This report shall be provided to the General Assembly within one hundred eighty days of the conclusion of the third turkey season following the effective date of this section.~~

~~(F)~~ The department shall provide an annual report ~~of the~~ on wild turkey resources in South Carolina to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture and Natural Resources Committee.”

SECTION 3. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑590. (A) The Saturday and Sunday preceding the start of a game zone turkey season is declared to be ‘Youth Turkey Hunting Weekend’ within the game zone for youth turkey hunters under eighteen years of age.

(B) A license or tag requirement is waived for a youth turkey hunter during Youth Turkey Hunting Weekend.

(C) The bag limit during Youth Turkey Hunting Weekend is one male wild turkey for the weekend that shall count toward the season bag limit. A turkey harvest must be reported to the electronic harvest reporting system pursuant to the provisions of Section 50‑11‑546.

(D) Youth turkey hunters who have not completed the hunter education program pursuant to Section 50‑9‑310, and who hunt during Youth Turkey Hunting Weekend, must be accompanied by an adult who is at least twenty‑one years of age. An adult may not harvest or attempt to harvest turkeys during Youth Turkey Hunting Weekend but is permitted to call turkeys for a youth turkey hunter.”

SECTION 4. Section 50‑9‑920(B) of the 1976 Code is amended by adding a new item to read:

“(13) resident and nonresident wild turkey tags shall only be used for the following purposes:

(a) the funding of wild turkey scientific research on public lands and private lands with the consent of landowners;

(b) the improvement of the wild turkey habitat and hunting opportunities for wild turkeys on public lands;

(c) wild turkey predator control;

(d) the enforcement of the wild turkey hunting laws and regulations; and

(e) the printing and mailing of the wild turkey tags.”

SECTION 5. Article 6, Chapter 9, Title 50 of the 1976 Code is amended by adding:

“Section 50‑9‑640. (A) For the privilege of hunting wild turkey, in addition to the required hunting license and big game permit, a person must possess a wild turkey tag issued in the person’s name. The fee for a:

(1) resident is five dollars for three tags, one dollar of which may be retained by the license sales vendor; and

(2) nonresident is one hundred dollars for two tags, one dollar of which may be retained by the license sales vendor.

(B) There is no cost for wild turkey tags for persons under the age of sixteen, lifetime licensees, and gratis licensees upon request to the department.”

SECTION 6. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑546. (A) In order to document the harvest of wild turkeys and to assist with the enforcement of seasons, methods of harvest, and bag limits, the department must implement an electronic harvest reporting system.

(B) A person who harvests a wild turkey must report the harvest to the electronic harvest reporting system as prescribed by the department. A harvest report must be submitted by midnight of the day a wild turkey is taken unless a person is incapable of accessing the reporting system, in which case a report must be submitted prior to the carcass leaving the person’s possession.

(C) Upon completion of the harvest reporting process, a harvest report confirmation number will be provided by the department, which must be recorded by the person submitting the harvest report.

(D) The department must promulgate regulations to implement the provisions of this section, including the methods of telephonic and electronic reporting, contents of the report, and recording and maintenance of the harvest report confirmation number.

(E) The department is prohibited from requesting or acquiring the geolocation data of a person submitting a harvest report through electronic means and from requesting a person to self‑report location information to the harvest reporting system more specific than the county in which a turkey is harvested. (F) There is no cost to a person for reporting a harvest, and the department may exempt the harvest reporting requirement for persons who harvest wild turkeys under specific conditions or department programs.

(G) A person who violates this section or provisions established by the department for electronic harvest reporting is guilty of a misdemeanor and, upon conviction, must be fined not more than twenty-five dollars.”

SECTION 7. Section 50‑9‑1120(2) is amended by adding an appropriately lettered item at the end to read:

“( ) failing to report the harvest of wild turkey as required by Section 50‑11‑546: 6.”

SECTION 8. Section 50‑11‑520 of the 1976 Code is repealed.

SECTION 9. SECTION 7 of Act 41 of 2015 is repealed.

SECTION 10. (A) SECTIONS 1, 2, 3, 4, 5, 8, and 9 take effect on July 1, 2019.

(B) SECTION 6 of this act takes effect on July 1, 2020.

(C) SECTION 7 of this act takes effect on July 1, 2021. /

Renumber sections to conform.

Amend title to conform.

DAVID R. HIOTT for Committee.

**A** **BILL**

TO AMEND SECTION 50‑11‑544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION TAGS; TO AMEND SECTION 50‑11‑580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50‑11‑590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50‑9‑920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50‑11‑520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

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

SECTION 1. Section 50‑11‑544 of the 1976 Code is amended to read:

“Section 50‑11‑544. A person who hunts wild turkeys is required to possess a ~~set of~~ wild turkey ~~transportation tags~~ tag issued by the department ~~at no cost~~. All turkeys taken must be tagged before being moved from the point of kill. All tags must be validated as prescribed by the department before a turkey is moved from the point of kill. No ~~person~~ resident may obtain or possess more than ~~one set of~~ three wild turkey tags, and no nonresident may obtain or possess more than two wild turkey tags.”

SECTION 2. Section 50‑11‑580 of the 1976 Code is amended to read:

“Section 50‑11‑580. (A) ~~Notwithstanding the provisions of Section 50‑11‑520 or any other provision of law or regulation, the~~ The season for hunting and taking a male wild turkey is:

(1) in Game Zones 1 and 2, ~~March 20~~ April 5 through May ~~5~~ 11; and

(2) in Game Zones 3 and 4, March 25 through April 30.

(B) ~~The Saturday and Sunday preceding March 20 of each year is declared to be ‘Youth Turkey Hunting Weekend’. A person less than eighteen years of age shall be considered a youth hunter. The license and permit requirements for hunting turkey are waived for youth hunters during Youth Turkey Hunting Weekend; however, youth hunters must still possess a set of turkey tags while hunting during Youth Turkey Hunting Weekend. A licensed hunter at least twenty‑one years of age must accompany a youth hunter in the field and may not harvest or attempt to harvest turkey during Youth Turkey Hunting Weekend, but is permitted to call turkeys for the youth hunter. The licensed hunter that accompanies the youth hunter must have a valid South Carolina hunting license, big game permit, and wildlife management area permit if applicable~~ The season bag limit for male wild turkeys is three statewide for residents and two statewide for nonresidents. The daily bag limit is one, provided that:

(1) only one male wild turkey may be taken from April 5 through April 11 from within Game Zones 1 and 2; and

(2) only one male wild turkey may be taken from March 25 through March 31 from within Game Zones 3 and 4.

(C) ~~The season bag limit for male wild turkeys is three, which may be taken by any lawful means. The season bag limit contained in this section is statewide~~ It is unlawful for a person to take a female wild turkey unless authorized by the department pursuant to Section 50‑11‑500(3).

(D) ~~The daily bag limit per person for male wild turkeys is two, which may be taken by any lawful means. The daily bag limit contained in this section is statewide.~~

~~(E)~~ ~~The department shall conduct an analysis of the wild turkey resources in South Carolina and issue a draft report recommending any changes to the wild turkey season and bag limits. This report shall be provided to the General Assembly within one hundred eighty days of the conclusion of the third turkey season following the effective date of this section.~~

~~(F)~~ The department shall provide an annual report ~~of the~~ on wild turkey resources in South Carolina to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture and Natural Resources Committee.”

SECTION 3. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑590. (A) The Saturday and Sunday preceding the start of a game zone turkey season is declared to be ‘Youth Turkey Hunting Weekend’ within the game zone for youth turkey hunters under eighteen years of age.

(B) A license or tag requirement is waived for a youth turkey hunter during Youth Turkey Hunting Weekend.

(C) The bag limit during Youth Turkey Hunting Weekend is one male wild turkey for the weekend.

(D) Youth turkey hunters who have not completed the hunter education program pursuant to Section 50‑9‑310, and who hunt during Youth Turkey Hunting Weekend, must be accompanied by an adult who is at least twenty‑one years of age. An adult may not harvest or attempt to harvest turkeys during Youth Turkey Hunting Weekend but is permitted to call turkeys for a youth turkey hunter.”

SECTION 4. Section 50‑9‑920(B) of the 1976 Code is amended by adding a new item to read:

“(13) resident and nonresident wild turkey tags shall only be used for the following purposes:

(a) the funding of wild turkey scientific research on public lands and private lands with the consent of landowners;

(b) the improvement of the wild turkey habitat and hunting opportunities for wild turkeys on public lands;

(c) wild turkey predator control;

(d) the enforcement of the wild turkey hunting laws and regulations; and

(e) the printing and mailing of the wild turkey tags.”

SECTION 5. Article 6, Chapter 9, Title 50 of the 1976 Code is amended by adding:

“Section 50‑9‑640. (A) For the privilege of hunting wild turkey, in addition to the required hunting license and big game permit, a person must possess a wild turkey tag issued in the person’s name. The fee for a:

(1) resident is ten dollars for three tags, one dollar of which may be retained by the license sales vendor; and

(2) nonresident is one hundred dollars for two tags, one dollar of which may be retained by the license sales vendor.

(B) There is no cost for wild turkey tags for persons under the age of sixteen, lifetime licensees, and gratis licensees upon request to the department.”

SECTION 6. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑546. (A) In order to document the harvest of wild turkeys and to assist with the enforcement of seasons, methods of harvest, and bag limits, the department must implement an electronic harvest reporting system.

(B) A person who harvests a wild turkey must report the harvest to the electronic harvest reporting system as prescribed by the department. A harvest report must be submitted by midnight of the day a wild turkey is taken unless a person is incapable of accessing the reporting system, in which case a report must be submitted prior to the carcass leaving the person’s possession.

(C) Upon completion of the harvest reporting process, a harvest report confirmation number will be provided by the department, which must be recorded by the person submitting the harvest report.

(D) The department must promulgate regulations to implement the provisions of this section, including the methods of telephonic and electronic reporting, contents of the report, and recording and maintenance of the harvest report confirmation number.

(E) There is no cost to a person for reporting a harvest, and the department may exempt the harvest reporting requirement for persons who harvest wild turkeys under specific conditions or department programs.

(F) A person who provides false information while reporting a harvest is subject to a civil penalty of not more than fifty dollars for a first violation, not more than two hundred dollars for a second violation, and not less than four hundred dollars for a third or subsequent violation.

(G) A person who violates the provisions of subsection (B) is subject to a civil penalty of not more than twenty‑five dollars for a first violation, not more than one hundred dollars for a second violation, and not less than two hundred dollars for a third or subsequent violation.”

SECTION 7. Section 50‑11‑520 of the 1976 Code is repealed.

SECTION 8. SECTION 7 of Act 41 of 2015 is repealed.

SECTION 9. (A) SECTIONS 1, 2, 3, 4, 5, 7, and 8 take effect on July 1, 2019.

(B) Section 50‑11‑546(A) through (F), as added by SECTION 6 of this act, takes effect on July 1, 2020.

(C) Section 50‑11‑546(G), as added by SECTION 6 of this act, takes effect on July 1, 2021.

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