~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 11, 2020

**S. 987**

Introduced by Senator Hembree

S. Printed 3/11/20--S. [SEC 3/12/20 11:36 AM]

Read the first time January 14, 2020.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 987) to amend Section 23‑35‑175, Code of Laws of South Carolina, 1976, relating to the discharge of fireworks and certain terms and their definitions, 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, page 1, by striking lines 24 through 27, in Section 23-35-175(A)(2), as contained in SECTION 1, and inserting therein the following:

/ “(2) ‘Fireworks Prohibited Zone’ means:

(a) any public beach or public beach access that a local governing body has:

(i) designated by resolution as an area in which fireworks are prohibited from being knowingly and wilfully discharged, and

(ii) posted with appropriate signs or placards indicating that the area is a Fireworks Prohibited Zone; or

(b) property designated through the processes in this section as an area in which fireworks are prohibited from being knowingly and wilfully discharged.” /

Renumber sections to conform.

Amend title to conform.

LUKE A. RANKIN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Local Revenue**

This bill expands the definition of “Fireworks Prohibited Zone” to include public beaches and public beach access. Currently, discharge of fireworks is prohibited on property designated as a prohibited zone by an owner, lessee or managing authority of real property. The penalty for using fireworks in a prohibited zone includes a fine of up to $100 for the first offense and up to $200 for a second offense. Additionally, some counties and municipalities enforce local ordinances that may be more restrictive or include higher penalties. RFA surveyed local law enforcement agencies requesting data necessary to estimate the impact of this bill but did not receive such data. RFA anticipates the bill may increase fine revenue, but the impact will be dependent upon the number of violations cited. Therefore, RFA estimates this bill may increase local revenues by an undetermined amount.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 23‑35‑175, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISCHARGE OF FIREWORKS AND CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO REVISE THE DEFINITION OF THE TERM “FIREWORKS PROHIBITED ZONE” TO INCLUDE ANY PUBLIC BEACH OR PUBLIC BEACH ACCESS.

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

SECTION 1. Section 23‑35‑175(A)(2) of the 1976 Code is amended to read:

“(2) ‘Fireworks Prohibited Zone’ means any public beach, public beach access, or property designated through the processes in this section as an area in which fireworks are prohibited from being knowingly and wilfully discharged.”

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

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