**South Carolina General Assembly**

124th Session, 2021-2022

**S. 371**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Talley

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Introduced in the Senate on January 12, 2021

Currently residing in the Senate Committee on **Fish, Game and Forestry**

Summary: Mallards

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Fish, Game and Forestry**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 288](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 288](file:///h:\sj\20210112.docx))

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\371_20201209.docx)

**A** **BILL**

TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, BY ADDING ARTICLE 14, TO PROVIDE FOR THE PERMITTING OF REGULATED SHOOTING AREAS FOR MALLARDS, TO PROVIDE THAT CAPTIVE‑RAISED MALLARDS THAT ARE REARED AND RELEASED ON A REGULATED SHOOTING AREA FOR MALLARDS MAY ONLY BE HUNTED DURING THE OPEN SEASON FOR MALLARDS, TO PROVIDE MARKING REQUIREMENTS FOR CAPTIVE-RAISED MALLARDS, TO PROVIDE THAT CAPTIVE‑RAISED MALLARDS MAY BE TAKEN BY SHOOTING ON A REGULATED SHOOTING AREA FOR MALLARDS WITHOUT REGARD FOR BAG OR POSSESSION LIMITS AND TO PROVIDE EXCEPTIONS, TO REQUIRE CERTAIN LICENSES FOR HUNTING ON A REGULATED SHOOTING AREA FOR MALLARDS, TO PROVIDE THAT A PERMITTEE SHALL MAKE AN ANNUAL REPORT OF OPERATIONS, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF PERMITTING AND MARKING REQUIREMENTS.

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

SECTION 1. Chapter 11, Title 50 of the 1976 Code is amended by adding:

“ARTICLE 14

Regulated Shooting Areas for Mallards

Section 50‑11‑2700. (A) The department may issue a permit for a regulated shooting area for mallards if an area is privately owned and operated under the terms and conditions of this article. To be issued a permit, a person or entity must apply for the permit by October fifteenth of each year using a form provided by the department, to include any information the department deems necessary.

(B) A permit for a regulated shooting area for mallards issued by the department shall be valid each year for the annual waterfowl season as established by 50 C.F.R. Part 20 and Section 50‑11‑10. A permit is only valid for the established open season for mallards.

(C) The annual fee for obtaining a permit for a regulated shooting area for mallards is two hundred dollars; however, a shooting preserve licensed pursuant to Article 7, Chapter 11, Title 50 is not required to pay the additional two hundred dollar fee.

(D) A person who has been convicted of a violation of the Migratory Bird Treaty Act pursuant to 50 C.F.R. Part 20 and Section 50‑11‑10 will not be eligible to receive a permit for a regulated shooting area for mallards for the permit year following the date of his conviction.

Section 50‑11‑2710. No person or entity may release mallards for the purpose of hunting unless he has obtained a permit for a regulated shooting area for mallards pursuant to this article, except for bona fide dog training or field trial purposes pursuant to 50 C.F.R. Part 21.

Section 50‑11‑2720. (A) Captive‑raised mallards that are reared and released on a regulated shooting area for mallards may only be hunted during the open season for mallards established pursuant to 50 C.F.R. Part 20 and Section 50‑11‑10.

(B) In addition to marking requirements required pursuant to 50 C.F.R. Part 21, captive‑raised mallards released on a regulated shooting area for mallards must be tagged with a metal leg band that contains the name of the regulated shooting area for mallards and any other information as required by the department.

(C) Hunting hours on regulated shooting areas for mallards shall conform to hunting hours established pursuant to 50 C.F.R. Part 20 and Section 50‑11‑10.

(D) The daily bag limit for wild mallards taken by shooting on a regulated shooting area for mallards is the same bag limit established for mallards by 50 C.F.R. Part 20 and Section 50‑11‑10. Subject to this bag limit for wild mallards, the total bag limit for mallards taken by shooting on a regulated shooting area for mallards is four.

(E) Except for the total mallard bag limit, the taking of mallards on a regulated shooting area for mallards is governed by federal regulations, pursuant to 50 C.F.R. Part 20, and Section 50‑11‑10.

Section 50‑11‑2730. An individual may only hunt on a regulated shooting area for mallards while in possession of a valid:

(1) South Carolina resident or nonresident hunting license;

(2) South Carolina migratory bird permit;

(3) South Carolina migratory waterfowl permit; and

(4) federal migratory bird hunting and conservation stamp.

Section 50‑11‑2740. (A) A permittee of a regulated shooting area for mallards shall make an annual report of operations by March first of each year on forms provided by the department. The report shall include:

(1) the number of captive‑raised mallards released and killed on the regulated shooting area for mallards;

(2) any outbreaks of avian influenza or other diseases in the captive‑raised mallards raised, released, or taken on the regulated shooting area for mallards; and

(3) any other information the department deems necessary.

(B) The department shall not renew a permit for a regulated shooting area for mallards unless the report required under this section has been filed by March first and the annual fee has been paid.

Section 50‑11‑2750. A person violating Section 50‑11‑2710 or 50‑11‑2720(B) is guilty of a misdemeanor and, upon conviction, must be punished by a fine of two hundred dollars or imprisoned for not more than thirty days for each offense. In addition, he shall forfeit his permit for a regulated shooting area for mallards for the remainder of the current permit year and may be ineligible to hold a permit for a regulated shooting area for mallards for the following permit year.”

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

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