**A** **BILL**

TO AMEND SECTION 50‑5‑380, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAKING SALTWATER FISHERY PRODUCTS FOR COMMERCIAL OR SCIENTIFIC PURPOSES, SO AS TO REMOVE CONFIDENTIALITY PROVISIONS.

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

SECTION 1. Section 50‑5‑380 of the 1976 Code is amended to read:

“Section 50‑5‑380. (A) A person or entity licensed or permitted by the department engaged in the take, distribution, or propagation of any saltwater fishery product for a commercial or scientific purpose must keep accurate records and may be required to provide accurate information and reports to the department on forms and by methods required by the department for the administration and enforcement of saltwater fishery laws and for fisheries management purposes. The department has concurrent authority with the United States to collect or require the submission of pertinent data specified pursuant to the federal Fishery Conservation and Management Act of 1976, as amended. Any information which directly or indirectly discloses ~~the identity of a licensee or permittee or~~ income amounts or trade secrets ~~or other specialized methodologies~~ for growing or taking or marketing saltwater fisheries products is not public information. ~~Information on fisheries furnished by any source which is required by a state or federal law to be kept confidential is not subject to disclosure except when required by order of a court of competent jurisdiction.~~

(B) ~~Noncommercial information provided voluntarily to the department in support of a resource or management activity is likewise confidential. Nothing in this section may be construed as to limit the use of such information in enforcement of this chapter.~~

~~(C)~~ A person or entity licensed or permitted under this chapter who fails to make an accurate and timely report as required by the department is guilty of a misdemeanor and, upon conviction, the person must be fined not less than twenty‑five dollars nor more than two hundred dollars or imprisoned for not more than thirty days for each report, and the department must suspend the license or permit under which the report is required until accurate and complete reports are submitted to the department. Each delinquent or inaccurate report must be handled as a separate offense. The provisions of this section do not supersede or replace any criminal sanctions for defrauding or attempting to defraud this State.

~~(D)~~(C) The department shall collect and analyze data pertinent to protection, propagation, promotion, and management of marine resources.”

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

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