COMMITTEE REPORT

February 19, 2009

**H. 3121**

Introduced by Reps. J.E. Smith, E.H. Pitts, T.R. Young and Hutto

S. Printed 2/19/09--H.

Read the first time January 13, 2009.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 3121) to amend the Code of Laws of South Carolina, 1976, by adding Section 50‑15‑75 so as to provide that it is unlawful for a person to remove, 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 Section 50-15-75 of the 1976 Code, as contained in SECTION 1, and inserting:

/ Section 50‑15‑75. (A) It is unlawful for a person, or a group of individuals traveling in one vehicle, to remove, or attempt to remove from this State more than ten, either in one species or a combination of species, of the named species of turtles at one time with a maximum of twenty turtles of these species, either individually or in combination in any one year: yellowbelly turtle (Trachemys scripta), Florida cooter (Pseudemys floridana), river cooter (Pseudemys concinna), chicken turtle (deirochelys reticularia), eastern painted turtle (Chrysemys picta), spiny softshell turtle (Apalone spinifera), Florida softshell turtle (Apalone ferox), and common snapping turtle (Chelydra serpentine). A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine of two hundred dollars. Each turtle removed or in possession of a person attempting to remove them in violation of this section constitutes a separate offense.

(B) The provisions of this section do not prohibit the sale, offer for sale, or purchase of the yellowbelly turtle (Trachemys scripta) species and the common snapping turtle (Chelydra serpentine) species if these turtles were taken from a permitted aquaculture facility. A person selling, offering to sell, or purchasing these species must have documentation from the aquaculture facility as to the origin of the turtles. /

Renumber sections to conform.

Amend title to conform.

JEFF D. DUNCAN for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑15‑75 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO REMOVE, OR ATTEMPT TO REMOVE, FROM THIS STATE MORE THAN TEN TURTLES OF CERTAIN NAMED SPECIES, TO PROVIDE EXCEPTIONS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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

SECTION 1. Chapter 15, Title 50 of the 1976 Code is amended by adding:

“Section 50‑15‑75. (A) It is unlawful for a person to remove, or attempt to remove from this State more than ten, either in one species or a combination of species, of the named species of turtles: yellowbelly turtle (Trachemys scripta), Florida cooter (Pseudemys floridana), river cooter (Pseudemys concinna), chicken turtle (deirochelys reticularia), eastern painted turtle (Chrysemys picta), spiny softshell turtle (Apalone spinifera), Florida softshell turtle (Apalone ferox), and common snapping turtle (Chelydra serpentine). A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine of two hundred dollars. Each turtle removed or in possession of a person attempting to remove them in violation of this section constitutes a separate offense.

(B) The provisions of this section do not prohibit the sale, offer for sale, or purchase of the yellowbelly turtle (Trachemys scripta) species and the common snapping turtle (Chelydra serpentine) species if these turtles were taken from a permitted aquaculture facility. A person selling, offering to sell, or purchasing these species must have documentation from the aquaculture facility as to the origin of the turtles.”

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

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