**South Carolina General Assembly**

120th Session, 2013-2014

**A94, R85, S584**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campsen and Rankin

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Introduced in the Senate on April 9, 2013

Introduced in the House on April 30, 2013

Last Amended on June 4, 2013

Passed by the General Assembly on June 6, 2013

Governor's Action: June 13, 2013, Signed

Summary: Hunting and fishing licenses

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/9/2013 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2013\04-09-13.docx))

4/9/2013 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2013\04-09-13.docx))

4/18/2013 Senate Committee report: Favorable with amendment **Fish, Game and Forestry** ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2013\04-18-13.docx))

4/19/2013 Scrivener's error corrected

4/23/2013 Senate Committee Amendment Adopted ([Senate Journal‑page 43](file:///h:\SJ%20Archive\2013\04-23-13.docx))

4/24/2013 Senate Read second time ([Senate Journal‑page 35](file:///h:\SJ%20Archive\2013\04-24-13.docx))

4/24/2013 Senate Roll call Ayes‑26 Nays‑15 ([Senate Journal‑page 35](file:///h:\SJ%20Archive\2013\04-24-13.docx))

4/25/2013 Senate Read third time and sent to House ([Senate Journal‑page 23](file:///h:\SJ%20Archive\2013\04-25-13.docx))

4/30/2013 House Introduced and read first time ([House Journal‑page 23](file:///h:\HJ%20Archive\2013\04-30-13.docx))

4/30/2013 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 23](file:///h:\HJ%20Archive\2013\04-30-13.docx))

5/23/2013 House Committee report: Favorable with amendment **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 7](file:///h:\HJ%20Archive\2013\05-23-13.docx))

5/24/2013 Scrivener's error corrected

5/30/2013 House Requests for debate‑Rep(s). Ott, Rutherford, Jefferson, Williams, Pitts, Hayes, KR Crawford, Sabb, McCoy, MS McLeod, King, Douglas, Weeks, GM Smith, Edge, Ridgeway, RL Brown, Hardwick, Hixon, Riley, Hosey, Anderson, Hodges, Toole, JR Smith, Hardee, GR Smith, HA Crawford, Bedingfield, Loftis, Ryhal, Gilliard ([House Journal‑page 53](file:///h:\HJ%20Archive\2013\05-30-13.docx))

6/4/2013 House Requests for debate removed‑Rep(s). Hardwick, HA Crawford, Hardee, Hodges, Hixon, Ott, GR Smith, Rutherford, Bedingfield, Sabb, Ryhal, Hosey, Loftis, Douglas, Weeks, Williams, Jefferson, JR Smith, Anderson, Hayes, Ridgeway, Toole, Gilliard, Pitts, GM Smith, King, Riley, KR Crawford, McCoy ([House Journal‑page 23](file:///h:\HJ%20Archive\2013\06-04-13.docx))

6/4/2013 House Amended ([House Journal‑page 91](file:///h:\HJ%20Archive\2013\06-04-13.docx))

6/4/2013 House Read second time ([House Journal‑page 91](file:///h:\HJ%20Archive\2013\06-04-13.docx))

6/4/2013 House Roll call Yeas‑106 Nays‑0 ([House Journal‑page 96](file:///h:\HJ%20Archive\2013\06-04-13.docx))

6/5/2013 Scrivener's error corrected

6/5/2013 House Read third time and returned to Senate with amendments ([House Journal‑page 106](file:///h:\HJ%20Archive\2013\06-05-13.docx))

6/6/2013 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 55](file:///h:\SJ%20Archive\2013\06-06-13.docx))

6/6/2013 Senate Roll call Ayes‑38 Nays‑2 ([Senate Journal‑page 55](file:///h:\SJ%20Archive\2013\06-06-13.docx))

6/11/2013 Ratified R 85

6/13/2013 Signed By Governor

6/21/2013 Effective date 07/01/13

6/24/2013 Act No. 94

**VERSIONS OF THIS BILL**

[4/9/2013](file:///p:\pprever\2013-14\584_20130409.docx)

[4/18/2013](file:///p:\pprever\2013-14\584_20130418.docx)

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[6/5/2013](file:///p:\pprever\2013-14\584_20130605.docx)

(A94, R85, S584)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑9‑15 SO AS TO DEFINE THE TERMS “LICENSE SALES VENDOR” AND “LICENSE YEAR”; TO AMEND SECTION 50‑9‑20, AS AMENDED, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO PROVIDE FOR THE DURATION OF LICENSES FOR RECREATIONAL AND COMMERCIAL USE, AND PERMIT THE DEPARTMENT TO DISCONTINUE THE ISSUANCE OF STAMPS AND PERMIT THE DEPARTMENT TO ISSUE A LICENSE THAT EXPIRES ON THE DAY BEFORE THE ANNIVERSARY OF ITS ISSUANCE; TO AMEND SECTION 50‑9‑30, AS AMENDED, RELATING TO RESIDENCY REQUIREMENTS IMPOSED FOR THE ISSUANCE OF CERTAIN LICENSES, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 50‑9‑350, AS AMENDED, RELATING TO APPRENTICE HUNTING LICENSES, SO AS TO PROVIDE THAT THE HOLDER OF AN APPRENTICE HUNTING LICENSE WHO OBTAINS A CERTIFICATE OF COMPLETION PRIOR TO THE EXPIRATION DATE OF HIS APPRENTICE HUNTING LICENSE MUST USE HIS APPRENTICE HUNTING LICENSE AS HIS STATEWIDE HUNTING LICENSE, PROVIDED THAT THE LICENSEE MUST HAVE THE CERTIFICATE OF COMPLETION IN HIS POSSESSION WHILE HUNTING; TO AMEND SECTION 50‑9‑510, AS AMENDED, RELATING TO LICENSES FOR PURCHASE FOR THE PRIVILEGE OF HUNTING, SO AS TO DISCONTINUE ISSUANCE OF HUNTING LICENSES THAT ARE VALID ONLY IN A SINGLE COUNTY, TO REMOVE RESTRICTIONS ON THE THREE YEAR LICENSE PURCHASE, TO CLARIFY REQUIREMENTS FOR MIGRATORY WATERFOWL PERMITS, AND TO PROVIDE FOR THE RETAINED VENDOR FEE; TO AMEND SECTION 50-9-525, RELATING TO THE ISSUANCE OF HUNTING AND FISHING LICENSES TO DISABLED RESIDENTS, SO AS TO REVISE THE CRITERIA USED TO DETERMINE WHO MAY OBTAIN A LICENSE UNDER THIS PROVISION; TO AMEND SECTION 50‑9‑530, AS AMENDED, RELATING TO CATAWBA LICENSES, SO AS TO PROVIDE THAT THERE IS NO COST TO A CATAWBA HUNTING AND FISHING LICENSEE FOR ANY OTHER TAGS REQUIRED BY LAW FOR RECREATIONAL HUNTING AND FISHING EXCEPT FOR THOSE DEPARTMENT HUNTING AND FISHING ACTIVITIES CONTROLLED BY LOTTERY; TO AMEND SECTION 50‑9‑540, AS AMENDED, RELATING TO RECREATIONAL FISHING LICENSES, SO AS TO PROVIDE THAT RESIDENTS AND NONRESIDENTS MUST PURCHASE ANY OTHER LICENSE THAT GRANTS FISHING PRIVILEGES, TO DELETE THE LAKES AND RESERVOIRS PERMIT, AND TO CHANGE THE TEMPORARY NONRESIDENT FISHING LICENSE FROM SEVEN TO FOURTEEN DAYS; TO AMEND SECTION 50‑9‑610, RELATING TO ADDITIONAL REQUIREMENTS FOR TAKING NONGAME FRESHWATER FISH, SO AS TO DELETE THE PROVISION THAT EXEMPTS A RESIDENT WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER FROM PURCHASING A PERMIT FOR RECREATIONAL FISHING OF CERTAIN SET HOOKS AND PROVIDE THAT TAGS MUST BE ATTACHED AS PRESCRIBED; TO AMEND SECTION 50‑9‑665, RELATING TO BEAR HUNTING, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 50‑9‑920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO MAKE CONFORMING CHANGES, AND TO PROVIDE FOR REVISED LICENSE REVENUE DISTRIBUTION; TO AMEND SECTION 50‑9‑950, RELATING TO THE FISH AND WILDLIFE PROTECTION FUND, SO AS TO REVISE THE FUND’S PURPOSE, SOURCES OF REVENUE, AND DISTRIBUTION OF REVENUES; TO AMEND SECTION 50‑9‑955, RELATING TO THE FISH AND WILDLIFE DEFERRED LICENSE FUND, SO AS TO MAKE A TECHNICAL CHANGE, AND REVISE THE FORMULA FOR DISTRIBUTING REVENUES CONTAINED IN THE FUND; TO AMEND SECTION 50‑9‑960, RELATING TO THE MARINE RESOURCES FUND, SO AS TO REVISE THE PURPOSE OF THE FUND, REVISE THE SOURCES OF REVENUE CONTAINED IN THE FUND, AND REVISE THE PROJECTS THAT MAY BE SUPPORTED BY THE FUND; TO AMEND SECTION 50‑9‑965, RELATING TO THE MARINE RESOURCES DEFERRED LICENSE FUND, SO AS TO MAKE A TECHNICAL CHANGE, AND REVISE THE FORMULA FOR TRANSFERRING REVENUES INTO THE FUND; TO REPEAL SECTION 50‑15‑65(E) RELATING TO ALLIGATOR HUNTING, CONTROL, AND MANAGEMENT; TO AMEND SECTION 50-9-35, RELATING TO A PERSON WHO TRANSFERS HIS RESIDENCY, SO AS TO REVISE THE PROVISIONS THAT REGULATE WHO MAY LAWFULLY HOLD A RESIDENT LICENSE PERMIT, STAMP, OR TAG ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES.**

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

**Definitions**

SECTION 1. Article 1, Chapter 9, Title 50 of the 1976 Code is amended by adding:

“Section 50‑9‑15. For the purposes of this title:

(1) ‘License sales vendor’ means a business, not for profit entity, or unit of state or local government that has entered into an agreement with the department to offer for sale hunting and fishing licenses.

(2) ‘License year’ means the period beginning July first and ending June thirtieth.”

**Hunting and fishing licenses, permits, and tags**

SECTION 2. Section 50‑9‑20 of the 1976 Code, as last amended by Act 233 of 2010, is further amended to read:

“Section 50‑9‑20. (A) The duration for hunting and fishing licenses, permits, and tags for recreational purposes is as follows:

(1) a temporary license, permit, or tag expires after the specified number of consecutive days inclusive of the start date and expiration date;

(2) an annual license, permit, or tag expires on the last day of the license year for which the license was issued; provided, the department may issue an annual license, permit, or tag that expires the day before the anniversary of the date of its issuance;

(3) a three year license or permit expires on the last day of the third license year of issue; provided, the department may issue a three year license or permit that expires the day before the third anniversary of the date of its issuance;

(4) a three year disability license expires the day before the third anniversary of the date of its issuance; and

(5) the Catawba Indian license expires October 27, 2092.

(B) For commercial purposes, an annual license, permit, or tag expires on the last day of the license year for which the license, permit, or tag was issued.

(C) This section does not alter the start date or expiration date of a permit which by law has other terms.”

**Residency requirements**

SECTION 3. Section 50‑9‑30 of the 1976 Code, as last amended by Act 233 of 2010, is further amended to read:

“Section 50‑9‑30. (A) For the purposes of obtaining:

(1) a recreational license, permit, or tag with a duration of three years or less, ‘resident’, unless otherwise specified, means a United States citizen or a citizen of a foreign country lawfully in the United States who:

(a) has been domiciled in this State for thirty consecutive days or more immediately preceding the date of application;

(b) is a regularly enrolled full‑time student in a high school, technical school, college, or university within this State; or

(c) is an active member of the United States Armed Forces, or the member’s dependent, stationed in this State for thirty consecutive days or more immediately preceding the date of application;

(2) a lifetime recreational license, ‘resident’ means a United States citizen who has been domiciled in this State for one hundred eighty consecutive days or more immediately preceding the date of application;

(3) a disability recreational license, ‘resident’ means a United States citizen who has been domiciled in this State for three hundred sixty‑five consecutive days or more immediately preceding the date of application;

(4)(a) a commercial license, permit, or tag, ‘resident’ means a United States citizen who has been domiciled in this State for three hundred sixty‑five consecutive days or more immediately preceding the date of application; and

(b) a commercial license or permit issued for a business, ‘resident’ means a business that has been incorporated and operating in this State for three hundred sixty‑five days or more immediately preceding the date of application.

(B) An applicant for a resident license must furnish proof of residency as may be required by the department.

(C) ‘Nonresident’ means an individual or business that is not a resident under subitem (A).”

**Apprentice hunting license**

SECTION 4. Section 50‑9‑350 of the 1976 Code, as last amended by Act 257 of 2012, is further amended to read:

“Section 50‑9‑350. To encourage the recruitment of persons as responsible hunters:

(1) The certificate of completion requirement may be waived for one license year if a person obtains an apprentice hunting license, and a person may receive such a waiver only one time. An apprentice hunting license may be issued if the applicant:

(a) is at least sixteen years of age and otherwise required to obtain a certificate of completion to obtain a hunting license;

(b) has not been convicted of or received deferred adjudication for violation of the hunter education requirement in this State; and

(c) has not been convicted of a hunting violation.

(2) While afield, the apprentice hunter must be accompanied by a licensed hunter who:

(a) has attained the age of twenty‑one years;

(b) is not licensed as an apprentice hunter; and

(c) stays within a distance that enables uninterrupted, unaided, visual, and oral communication with the apprentice hunter and provides adequate direction to the apprentice.

(3) If the holder of an apprentice hunting license obtains a certificate of completion prior to the expiration date of his apprentice hunting license, his apprentice hunting license will be used as his statewide hunting license; provided, the licensee must have the certificate of completion in his possession while hunting.

(4) In addition to obtaining the apprentice hunting license, an apprentice license holder must obtain any other license, permit, receipt, stamp, and tag required to participate in a specific hunting activity.”

**Hunting and fishing licenses**

SECTION 5. Section 50‑9‑510 of the 1976 Code, as last amended by Act 233 of 2010, is further amended to read:

“Section 50‑9‑510. (A) For the privilege of hunting:

(1) a resident must purchase:

(a) an annual statewide hunting license for twelve dollars, one dollar of which the issuing sales vendor may retain;

(b) a three year statewide hunting license for thirty‑six dollars, three dollars of which the issuing sales vendor may retain;

(c) a lifetime statewide hunting license for three hundred dollars at designated licensing locations; or

(d) any other license which grants statewide hunting privileges;

(2) a resident who meets the qualifications as an apprentice hunter must purchase an annual statewide apprentice hunting license for twelve dollars, one dollar of which the issuing sales vendor may retain;

(3) a nonresident must purchase:

(a) a three day temporary statewide hunting license for forty dollars, one dollar of which the issuing sales vendor may retain;

(b) a ten day temporary statewide hunting license for seventy‑five dollars, two dollars of which the issuing sales vendor may retain;

(c) an annual statewide hunting license for one hundred twenty‑five dollars, two dollars of which the issuing sales vendor may retain; or

(d) any other license which grants statewide hunting privileges;

(4) a nonresident who meets the qualifications as an apprentice hunter must purchase an annual statewide apprentice hunting license for one hundred twenty‑five dollars, two dollars of which the issuing sales vendor may retain.

(B) For the privilege of hunting big game:

(1) a resident must purchase in addition to the required hunting license:

(a) an annual big game permit for six dollars, one dollar of which the issuing sales vendor may retain;

(b) a three year big game permit for eighteen dollars, three dollars of which the issuing sales vendor may retain; or

(c) any other license which grants big game privileges;

(2) a nonresident must purchase in addition to the required hunting license:

(a) an annual big game permit for one hundred dollars, two dollars of which the issuing sales vendor may retain; or

(b) any other license which grants big game privileges.

(C) For the privilege of hunting on wildlife management areas:

(1) a resident must purchase in addition to the required hunting license:

(a) an annual wildlife management area permit for thirty dollars and fifty cents, one dollar of which the issuing sales vendor may retain;

(b) a three year wildlife management area permit for ninety‑one dollars and fifty cents, three dollars of which the issuing sales vendor may retain; or

(c) any other license which grants wildlife management area privileges;

(2) the department may issue residents temporary wildlife management area permits from the department’s designated licensing locations for department specified hunting events for five dollars and fifty cents, fifty cents of which the issuing sales vendor may retain;

(3) a nonresident must purchase in addition to the required hunting license:

(a) a wildlife management area permit for seventy‑six dollars, one dollar of which the issuing sales vendor may retain; or

(b) any other license which grants wildlife management area privileges.

(D) For the privilege of hunting migratory game birds, in addition to the required hunting license:

(1) a resident must obtain an annual migratory game bird permit at no cost;

(2) a nonresident must obtain an annual migratory game bird permit at no cost.

(E) For the privilege of hunting migratory waterfowl, in addition to the required hunting license and permits and any required federal stamp or permit:

(1) a resident must purchase a migratory waterfowl permit for five dollars and fifty cents, fifty cents of which the issuing sales vendor may retain;

(2) a nonresident must purchase a migratory waterfowl permit for five dollars and fifty cents, fifty cents of which the issuing sales vendor may retain.

(F) For the privilege of hunting only the authorized released species on a licensed shooting preserve, in lieu of a hunting license, an individual may purchase an annual statewide shooting preserve license for eight dollars and fifty cents, one dollar of which the issuing sales vendor may retain.”

**Licenses for disabled residents**

SECTION 6. Section 50‑9‑525(A) of the 1976 Code, as added by Act 233 of 2010, is amended to read:

“(A) A resident who is determined to be disabled and receiving benefits under a Social Security program, the Civil Service Retirement System, the South Carolina State Retirement System, the Railroad Retirement Board, the Veterans Administration, or Medicaid, or their successor agencies or programs, may obtain a three year disability combination license or a three year disability fishing license at no cost. The license must be issued by the department from its designated offices and is valid for three years from the date of issue. Disability recertification is required for renewal. To recertify, an applicant must furnish proof, in the manner prescribed by the department, that he or she is currently receiving disability benefits and is a domiciled resident of this State. The department may waive the proof of disability benefit requirement for renewals where the resident is at least sixty‑five years of age.”

**Catawba hunting and fishing licenses**

SECTION 7. Section 50‑9‑530 of the 1976 Code, as last amended by Act 233 of 2010, is further amended by adding at the end:

“(G) There is no cost to a Catawba hunting and fishing licensee for any other tags required by law for recreational hunting and fishing except for those department hunting and fishing activities controlled by lottery.”

**Fishing licenses**

SECTION 8. Section 50‑9‑540 of the 1976 Code, as last amended by Act 233 of 2010, is further amended to read:

“Section 50‑9‑540. (A) For the privilege of recreational statewide fishing in saltwater:

(1) a resident must purchase:

(a) a fourteen day temporary saltwater fishing license for five dollars, one dollar of which the issuing sales vendor may retain;

(b) an annual saltwater fishing license for ten dollars, one dollar of which the issuing sales vendor may retain;

(c) a three year saltwater fishing license for thirty dollars, one dollar of which the issuing sales vendor may retain;

(d) a lifetime statewide saltwater fishing license for three hundred dollars at designated licensing locations; or

(e) any other license which grants saltwater fishing privileges;

(2) a nonresident must purchase:

(a) a fourteen day temporary saltwater fishing license for eleven dollars, one dollar of which the issuing sales vendor may retain;

(b) an annual saltwater fishing license for thirty‑five dollars, one dollar of which the issuing sales vendor may retain;

(c) a three year saltwater fishing license for one hundred five dollars, three dollars of which the issuing sales vendor may retain; or

(d) any other license which grants saltwater fishing privileges.

(B) For the privilege of recreational statewide fishing in freshwater:

(1) a resident must purchase:

(a) a fourteen day temporary freshwater fishing license for five dollars, one dollar of which the issuing sales vendor may retain;

(b) an annual freshwater fishing license for ten dollars, one dollar of which the issuing sales vendor may retain;

(c) a three year freshwater fishing license for thirty dollars, three dollars of which the issuing sales vendor may retain;

(d) a lifetime statewide freshwater fishing license for three hundred dollars at designated licensing locations; or

(e) any other license which grants freshwater fishing privileges;

(2) a nonresident must purchase:

(a) a fourteen day temporary freshwater fishing license for eleven dollars, one dollar of which the issuing sales vendor may retain;

(b) an annual freshwater fishing license for thirty‑five dollars, one dollar of which the issuing sales vendor may retain;

(c) a three year freshwater fishing license for one hundred five dollars, three dollars of which the issuing sales vendor may retain; or

(d) any other license which grants freshwater fishing privileges.

(C) For the privilege of operating a public fishing pier in the salt waters of this State, the owner or operator must purchase an annual saltwater public fishing pier license. For a pier with a total length:

(1) of one hundred feet or less, the fee is one hundred fifty dollars;

(2) greater than one hundred feet, the fee is three hundred fifty dollars.

(D) For the privilege of operating a charter fishing vessel in the salt waters of this State, the owner or operator must purchase an annual charter vessel license for each vessel. For a vessel:

(1) to carry six or fewer passengers, the fee is one hundred fifty dollars;

(2) to carry seven but no more than forty‑nine passengers, the fee is two hundred fifty dollars;

(3) to carry fifty or more passengers, the fee is three hundred fifty dollars.”

**Taking of nongame freshwater fish**

SECTION 9. Section 50‑9‑610 of the 1976 Code, as added by Act 200 of 2010, is amended to read:

“Section 50‑9‑610. (A) In addition to the licenses required for freshwater fishing, each licensee attempting to take nongame freshwater fish must obtain:

(1) a tag for each eel pot, at five dollars a tag for residents and fifty dollars a tag for nonresidents;

(2) a tag for each fyke net, at ten dollars for residents and fifty dollars for nonresidents;

(3) a tag for each gill net, at five dollars a tag for residents and fifty dollars a tag for nonresidents;

(4) a tag for each hoop net, at ten dollars a tag for residents and fifty dollars a tag for nonresidents;

(5) a tag for each trap, at five dollars a tag for residents and fifty dollars a tag for nonresidents;

(6) a tag for each trotline, not to exceed fifty hooks each, at two dollars fifty cents a tag for residents and fifty dollars a tag for nonresidents;

(7) a permit for using up to fifty jugs, at five dollars a permit for residents and fifty dollars for nonresidents;

(8) a permit for using up to fifty set hooks, at five dollars a permit for residents and fifty dollars for nonresidents.

(B) Permits for jugs and set hooks are not required for residents assisting permit holders.

(C) The licensee must affix the tag or identification information to the respective device.”

**Bear hunting**

SECTION 10. Section 50‑9‑665(A) of the 1976 Code, as added by Act 286 of 2010, is amended to read:

“(A) For the privilege of hunting bear, in addition to the required hunting license and big game permit the licensee must obtain a bear tag issued in his name, and the fee:

(1) for a resident is twenty‑five dollars per tag, one dollar of which may be retained by the license sales vendor;

(2) for a nonresident is one hundred dollars per tag, two dollars of which may be retained by the license sales vendor.”

**Revenue distribution**

SECTION 11. Section 50‑9‑920 of the 1976 Code, as last amended by Act 286 of 2010, is further amended to read:

“Section 50‑9‑920. (A) Revenue generated from the sale of lifetime privileges shall be deposited in the Wildlife Endowment Fund.

(B) Revenue generated from the sale of other hunting and freshwater fishing licenses, permits, and tags shall be remitted to the State Treasurer and unless otherwise required by law credited to the Fish and Wildlife Protection Fund. Revenue from each:

(1) wildlife management area permit shall be used for the management and the procurement of wildlife management area lands;

(2) nonresident annual statewide hunting license shall be used as follows:

(a) one dollar for the propagation, management, and protection of ducks and geese in this State;

(b) one dollar contributed by the department to proper agencies along the Atlantic Flyway for the propagation, management, and protection of ducks and geese; and

(c) the balance to the Fish and Wildlife Protection Fund;

(3) nonresident temporary statewide hunting license shall be used as follows:

(a) fifty cents for the propagation, management, and protection of ducks and geese in this State;

(b) fifty cents contributed by the department to proper agencies along the Atlantic Flyway for the propagation, management, and protection of ducks and geese; and

(c) the balance to the Fish and Wildlife Protection Fund;

(4) nonresident annual freshwater fishing license shall be distributed as follows:

(a) twenty‑five percent to the County Game and Fish Fund account for the respective county in which the license was sold, except that these licenses sold through a central point such as online, call centers, and department mass mailings shall be equally allocated to the counties;

(b) twenty‑five percent for the operation and management of department freshwater fish hatcheries; and

(c) the balance to the Fish and Wildlife Protection Fund;

(5) application fee, permit, tag, and nonresident hunting fee for the privilege of hunting alligators shall be used to administer the alligator management program;

(6) antlerless deer quota permit (ADQP) shall be exclusively used to administer the ADQP program and for deer management and research;

(7) individual antlerless deer tags shall be used as follows:

(a) eighty percent to administer the tag program, deer management, and research; and

(b) the remaining twenty percent for law enforcement;

(8) application fee, permit, and tag for the privilege of hunting bear shall be used to administer the tag program, protect bear habitats, and support bear research and management;

(9) field trial permit and shooting preserve operation permit shall be used to support the management of small game programs;

(10) lottery hunt application fee shall be used to administer the lottery hunt program and support management of lands on which the lottery hunts take place;

(11) falconry permit shall be used to support the falconry permitting program.

(C) Revenue generated from the sale of recreational and commercial marine licenses, permits, and tags shall be deposited to the Marine Resources Fund unless otherwise required by law. Revenue shall be distributed as follows, from each:

(1) annual or temporary recreational saltwater fishing license:

(a) twenty‑five cents to saltwater administration;

(b) one dollar to law enforcement; and

(c) the balance to recreational saltwater programs;

(2) charter vessel license:

(a) five percent to saltwater administration;

(b) twenty percent to law enforcement; and

(c) the balance to recreational saltwater programs;

(3) saltwater fishing pier license:

(a) five percent to saltwater administration;

(b) twenty percent to law enforcement; and

(c) the balance to recreational saltwater programs;

(4) shrimp baiting license:

(a) seventy percent for additional enforcement efforts during the established shrimp baiting period to assist existing law enforcement personnel in monitoring and enforcement of the shrimp baiting laws; and

(b) the balance to the Marine Resources Fund;

(5) sale of stamps, prints, and related articles:

(a) five percent to saltwater administration;

(b) twenty percent to saltwater enforcement; and

(c) the balance to recreational saltwater programs.

(D) Two‑thirds of the revenue generated from the sale of three year recreational saltwater licenses shall be allocated to the Marine Resources Deferred License Fund.

(E) Two‑thirds of the revenue generated from the sale of three year recreational freshwater fishing and hunting licenses shall be allocated to the Fish and Wildlife Deferred License Fund.

(F) Revenue generated from the sale of duplicate or replacement licenses, permits, and tags shall be credited to the Fish and Wildlife Protection Fund.”

**Fish and Wildlife Protection Fund**

SECTION 12. Section 50‑9‑950 of the 1976 Code, as added by Act 233 of 2010, is amended to read:

“Section 50‑9‑950. (A) The Fish and Wildlife Protection Fund is created for the purpose of supporting the department and its effort to conserve freshwater fisheries and wildlife. The assets of the fund are derived from the following sources:

(1) revenue from the sale of freshwater fisheries and wildlife licenses, permits, stamps, and tags;

(2) application fees for recreational events and charges for room and board on state property where the property was procured with proceeds from the fund and its predecessor funds;

(3) revenue generated from the sale of timber and property procured with proceeds from the fund and its predecessor funds;

(4) revenue transmitted to the department from the Department of Motor Vehicles for specialty license plates to support department operations;

(5) restricted interest income, contributions, and donations;

(6) indirect cost recoveries where the department matched a grant using the fund; and

(7) any other source of revenue recognized by the United States Fish and Wildlife Service, where the disposition of such revenue to any other fund could be interpreted as a loss of control or misdirection of funds by the department.

These funds shall be remitted to the State Treasurer and credited to a special account separate and distinct from the general fund.

(B) Revenue shall be expended by the department for the protection, propagation, and management of freshwater fisheries and wildlife, the enforcement of related laws, the administration of the department, and the dissemination of information, facts, and findings the department considers necessary. Revenue may be expended on permanent improvement or deferred maintenance projects consistent with the purposes of the fund.

(C) Interest earned on balances in the fund shall be credited to the fund and expended for those same purposes.

(D) Balances in the fund shall be retained and carried forward annually and may be used to match available federal funds.”

**Fish and Wildlife Deferred License Fund**

SECTION 13. Section 50‑9‑955 of the 1976 Code, as added by Act 233 of 2010, is amended to read:

“Section 50‑9‑955. (A) The Fish and Wildlife Deferred License Fund is created for the purpose of receiving revenue generated from the sale of three year hunting and freshwater fishing licenses, permits, stamps, and tags.

(B) Receipts from each license year shall be transferred to the Fish and Wildlife Protection Fund as follows:

(1) fifty percent during the first fiscal year after receipt; and

(2) the balance during the second fiscal year after receipt.

Where applicable, each transfer shall distribute the receipts based on the allocations specified in Section 50‑9‑920(B).

(C) Interest earned on balances in the fund shall be credited to the fund and transferred to the Fish and Wildlife Protection Fund in the same manner.

(D) Balances in the fund shall be retained and carried forward annually.”

**Marine Resources Fund**

SECTION 14. Section 50‑9‑960 of the 1976 Code, as added by Act 233 of 2010, is amended to read:

“Section 50‑9‑960. (A) The Marine Resources Fund is created for the purpose of supporting the department and its effort to conserve marine fisheries. The assets of the fund are derived from the following sources:

(1) revenue from the sale of saltwater licenses, permits, stamps, and tags;

(2) revenue generated from the sale of posters, prints, and related articles;

(3) revenue generated from the sale of property procured with proceeds from the fund and its predecessor funds;

(4) revenue transmitted to the department from the Department of Motor Vehicles for specialty license plates;

(5) restricted interest income, contributions, and donations;

(6) indirect cost recoveries where the department matched a grant using the fund; and

(7) any other source of revenue recognized by the United States Fish and Wildlife Service, where the disposition of such revenue to any other fund could be interpreted as a loss of control or misdirection of funds by the department.

(B) Revenue generated from the sale of:

(1) recreational saltwater privileges shall be expended by the department for purposes authorized pursuant to the South Carolina Marine Resources Act of 2000. The Saltwater Recreational Fishing Advisory Committee shall assist in prioritizing the expenditure of saltwater license funds for:

(a) the protection, maintenance, or enhancement of saltwater habitat important to the continued production of marine fish stocks and their food sources of significance to recreational saltwater fisheries;

(b) development of recreational saltwater fishing facilities;

(c) scientific research and management of recreational saltwater fisheries;

(d) permanent improvement or deferred maintenance projects consistent with the purposes described herein;

(e) other programs directly benefiting recreational saltwater fisheries recommended by the Saltwater Recreational Fisheries Advisory Committee; and

(f) an annual report made available on the department website indicating how the previous year’s funds were expended;

(2) commercial saltwater privileges, culture and mariculture permits, and marine permits shall be expended for the administration and implementation of programs in the Marine Resources Division and may be expended on permanent improvement or deferred maintenance projects consistent with the purposes of the fund.

(C) Funds generated pursuant to this section shall be remitted to the State Treasurer and credited to a special account separate and distinct from the general fund.

(D) Interest earned on balances in the fund shall be credited to the fund and expended for the same purposes.

(E) Balances in the fund shall be retained and carried forward annually and may be used to match available federal funds.”

**Marine Resources Deferred License Fund**

SECTION 15. Section 50‑9‑965 of the 1976 Code, as added by Act 233 of 2010, is amended to read:

“Section 50‑9‑965. (A) The Marine Resources Deferred License Fund is created for the purpose of receiving revenue generated from the sale of three year saltwater licenses, permits, stamps, and tags.

(B) Receipts from each license year shall be transferred to the Marine Resources Fund as follows:

(1) fifty percent during the first fiscal year after receipt; and

(2) the balance during the second fiscal year after receipt. Where applicable, each transfer shall distribute the receipts based on the allocations specified in Section 50‑9‑920(C).

(C) Interest earned on balances in the fund shall be credited to the fund and transferred to the Marine Resources Fund in the same manner.

(D) Balances in the fund shall be retained and carried forward annually.”

**Repeal**

SECTION 16. Section 50‑15‑65(E) of the 1976 Code is repealed.

**Residency requirements**

SECTION 17. Section 50‑9‑35 of the 1976 Code, as added by Act 233 of 2010, is amended to read:

Section 50‑9‑35. Any person licensed by another state as a resident for any purpose is not eligible to apply for, obtain, or hold any South Carolina resident license, permit, stamp, or tag required by this title. It is unlawful to obtain, attempt to obtain, or possess a license, permit, stamp, or tag required by this title while licensed as a resident of another state for any purpose.

Any person who lawfully acquires a resident South Carolina license, permit, stamp, or tag and who during the term of that instrument transfers their domicile outside of this State, may continue the privileges until expiration of that license, permit, stamp, or tag.”

**Time effective**

SECTION 18. This act takes effect July 1, 2013.

Ratified the 11th day of June, 2013.

Approved the 13th day of June, 2013.

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