**South Carolina General Assembly**

118th Session, 2009-2010

**A200, R232, S1340**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Cromer

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Introduced in the Senate on April 1, 2010

Introduced in the House on April 28, 2010

Passed by the General Assembly on May 19, 2010

Governor's Action: May 28, 2010, Signed

Summary: Wildlife

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 4/1/2010 Senate Introduced and read first time [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-01-10.docx)‑4

 4/1/2010 Senate Referred to Committee on **Fish, Game and Forestry** [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-01-10.docx)‑4

 4/21/2010 Senate Committee report: Favorable **Fish, Game and Forestry** [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-21-10.docx)‑16

 4/22/2010 Scrivener's error corrected

 4/22/2010 Senate Read second time [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-22-10.docx)‑20

 4/27/2010 Senate Read third time and sent to House [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-27-10.docx)‑16

 4/28/2010 House Introduced and read first time [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-28-10.docx)‑15

 4/28/2010 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-28-10.docx)‑16

 5/12/2010 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C05-12-10.docx)‑3

 5/18/2010 House Read second time [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C05-18-10.docx)‑158

 5/19/2010 House Read third time and enrolled [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C05-19-10.docx)‑12

 5/25/2010 Ratified R 232

 5/28/2010 Signed By Governor

 6/11/2010 Effective date 05/28/10

 6/15/2010 Act No. 200

**VERSIONS OF THIS BILL**

[4/1/2010](file:///p%3A%5Cpprever%5C2009-10%5C1340_20100401.docx)

[4/21/2010](file:///p%3A%5Cpprever%5C2009-10%5C1340_20100421.docx)

[4/22/2010](file:///p%3A%5Cpprever%5C2009-10%5C1340_20100422.docx)

[5/12/2010](file:///p%3A%5Cpprever%5C2009-10%5C1340_20100512.docx)

(A200, R232, S1340)

**AN ACT TO AMEND SECTION 50‑1‑5, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN TITLE 50, SO AS TO DEFINE CERTAIN WILDLIFE, FISH, AND PLANT SPECIES; TO AMEND SECTION 50‑1‑30, AS AMENDED, RELATING TO BIRD, GAME ANIMALS, AND FISH CLASSIFICATIONS RECOGNIZED IN TITLE 50, SO AS TO REVISE THESE CLASSIFICATIONS; BY ADDING SECTION 50‑1‑50 SO AS TO DEFINE THE BOUNDARIES FOR CERTAIN RIVERS, CREEKS, LAKES, BAYS, SOUNDS, HARBORS, AND RESERVOIRS REFERENCED IN TITLE 50; TO AMEND SECTION 50‑5‑1500, RELATING TO ANADROMOUS AND CATADROMOUS FISHERIES IN FRESHWATERS AND SALT WATERS, SO AS TO DELETE PROVISIONS RELATING TO LICENSES FOR TAKING STURGEON AND TO ADD EEL AND TO DELETE PENALTIES FOR CERTAIN SHAD, HERRING, AND STURGEON VIOLATIONS; BY ADDING SECTION 50‑5‑1556 SO AS TO PROVIDE THAT A COMMERCIAL FISHERMAN WHO SELLS SHAD, HERRING, OR EELS MUST SELL TO A WHOLESALE SEAFOOD DEALER OR LICENSED BAIT DEALER OR BE LICENSED AS SUCH; TO AMEND SECTION 50‑9‑30, RELATING TO RESIDENCY REQUIREMENTS FOR OBTAINING RECREATIONAL OR COMMERCIAL LICENSES, SO AS TO FURTHER SPECIFY THESE REQUIREMENTS; TO AMEND SECTION 50‑9‑80, RELATING TO REQUIREMENTS FOR ISSUANCE OF DUPLICATE LICENSES, SO AS TO FURTHER SPECIFY THESE REQUIREMENTS; BY ADDING ARTICLE 4 TO CHAPTER 9, TITLE 50 SO AS TO PROVIDE REQUIREMENTS FOR FRESHWATER COMMERCIAL FISHING LICENSES AND BAIT DEALER LICENSES AND TO PROVIDE LICENSURE REQUIREMENTS FOR TAKING SHAD, HERRING, OR EELS FOR COMMERCIAL PURPOSES; BY ADDING SECTION 50‑9‑545 SO AS TO PROVIDE LICENSURE REQUIREMENTS WHEN TAKING SHAD, HERRING, OR EELS FOR RECREATIONAL PURPOSES; BY ADDING SECTION 50‑9‑610 SO AS TO PROVIDE TAG AND PERMIT REQUIREMENTS WHEN USING CERTAIN DEVICES TO TAKE NONGAME FRESHWATER FISH; BY ADDING SECTION 50‑13‑1615 SO AS TO REQUIRE A PERSON SELLING OR POSSESSING FOR SALE FRESHWATER NONGAME FISH TO HAVE CERTAIN DOCUMENTATION VERIFYING THE ORIGIN OF THE FISH; BY ADDING SECTION 50‑19‑250 SO AS TO PROHIBIT NIGHT FISHING IN BRIDGE LAKE IN DORCHESTER COUNTY AND TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS; BY ADDING SECTION 50‑19‑251 SO AS TO PROVIDE FOR CERTAIN FISHING AND RECREATIONAL ACTIVITIES ON SLADE LAKE AND TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS; BY ADDING SECTION 50‑19‑1190 SO AS TO ESTABLISH A FISH SANCTUARY IN MARION COUNTY AND TO PROVIDE CRIMINAL PENALTIES FOR FISHING OR ENTERING UPON THE SANCTUARY; AND TO REPEAL SECTIONS 50‑1‑100, 50‑13‑1130, 50‑13‑1135, 50‑13‑1150, 50‑13‑1155, 50‑13‑1160, 50‑19‑1910, 50‑19‑1920, 50‑19‑1930, ARTICLE 39, CHAPTER 19, TITLE 50, 50‑19‑2620, AND 50‑19‑2630 ALL RELATING TO VARIOUS FISHING REGULATIONS AND LICENSURE REQUIREMENTS.**

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

**Definitions added**

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

 “Section 50‑1‑5. For the purposes of this title unless the context clearly indicates otherwise:

 (1) ‘Board’ means the governing body of the department.

 (2) ‘Department’ means the South Carolina Department of Natural Resources.

 (3) ‘Director’ means the administrative head of the department, appointed by the board.

 (4) ‘Enforcement officer’ means an enforcement officer of the Natural Resources Enforcement Division of the department.

 (5) The following terms define wildlife, fish, and plant species under the jurisdiction of the department or its successor agency:

 (a) ‘Established’ or ‘naturalized’ means a nonindigenous organism with one or more reproducing wild populations.

 (b) ‘Exotic’ means an organism or species indigenous to a foreign ecosystem.

 (c) ‘Indigenous’ or ‘native’ means an organism or species found naturally in this State prior to the arrival of the first European settlers.

 (d) ‘Introduced’ means an organism or species moved by human action to an area or ecosystem where it was not found historically.

 (e) ‘Invasive’ means nonindigenous organisms or species that establish in a new area or ecosystem, extend their geographic range and usually include native ecological or economic impacts.

 (f) ‘Locally established’ means a nonindigenous species with one or more naturally reproducing populations in an area or ecosystem but with very restricted distribution and no evidence of range expansion.

 (g) ‘Nonindigenous’, ‘alien’, ‘exotic’, ‘foreign’, ‘transplanted’, ‘nonnative’, or ‘introduced’ means an organism or species found in an area or ecosystem outside its historic or native geographic range.

 (h) ‘Transplant’ or ‘translocated’ means an organism or species moved by human action, deliberately or accidentally from its indigenous ecosystem to an area outside of its native range.

 (i) ‘Wild’ means an organism or species living in the environment not cultivated or domesticated.”

**Classifications revised**

SECTION 2. Section 50‑1‑30 of the 1976 Code, as last amended by Act 227 of 2008, is further amended to read:

 “Section 50‑1‑30. For the purpose of this title the following classifications are recognized:

 (1) Game birds: mourning dove, northern bob white, ruffed grouse, wild turkey, Wilson snipe, woodcock, the Anatidae (commonly known as goose, brant, and duck), and the Rallidae (commonly known as marsh hen, coot, gallinule, and rail).

 (2) Unprotected birds: house sparrow (Passer domesticus), rock pigeon (Columba livia), European starling (Sturnus vulgaris), and Eurasian collared dove (Streptopelia decaocto). These birds are unprotected by state law.

 (3) Nongame birds: all native birds not named in items (1) and (2) of this section are nongame birds and must not be destroyed in any manner at any time, except as otherwise provided by law.

 (4) Game animals: beaver, black bear, bobcat, white‑tailed deer, fox, mink, muskrat, opossum, otter, rabbit, raccoon, skunk, squirrel, and weasel.

 (5) Freshwater game fish: Bream: bluegill, flier, green sunfish; pumpkinseed, redbreast, redear (shellcracker), spotted sunfish; warmouth; Black Bass: largemouth bass, smallmouth bass, spotted bass, redeye bass (coosae bass); striped bass or rockfish; white bass; hybrid striped bass‑white bass; white crappie, black crappie; Trout: rainbow, brown and brook, chain pickerel (jackfish), redfin pickerel, sauger, walleye, and yellow perch.

 (6) Freshwater nongame fish: any freshwater fish species not classified as a game fish.

 (7) Saltwater game fish: spotted seatrout (winter trout) Cynoscion nebulosus, red drum (channel bass) Sciaenops ocellatus; tarpon Megalops atlanticus, and any species of billfish of the Family Istiophoridae.”

**Geographic boundaries for certain bodies of water**

SECTION 3. Chapter 1, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑1‑50. The following water bodies have the geographic boundaries as described:

 ‘Ashepoo River’ means all waters of the Ashepoo River from its confluence with Saint Helena Sound upstream to the confluence of Jones Swamp and Ireland Creeks, near S.C. State Highway 63/U.S. Highway 17A Bridge in Colleton County.

 ‘Ashley River’ means all waters of the Ashley River from its confluence with the Cooper River in Charleston Harbor upstream to the confluence of Great Cypress Swamp and Rumphs Hill Creeks.

 ‘Back River (Jasper County)’ means all waters of Back River from its confluence with the Savannah River upstream to its headwaters on Hutchinson Island.

 ‘Little Back River (Jasper County)’ means all waters of Little Back River from its confluence with Back River upstream to the confluence of McCoy’s Creek and Union Creek.

 ‘Beaufort River (Beaufort County)’ means all waters of Beaufort River from its confluence with Port Royal Sound upstream to the confluence with Battery, Cowen, Albergottie, and Brickyard Creeks.

 ‘Black Creek (Chesterfield, Darlington, and Florence Counties)’ means all waters of Black Creek from its confluence with the Great Pee Dee River upstream to S.C. State Highway S‑13‑513 (Griggs Street Bridge) in Chesterfield County.

 ‘Black Creek (Lexington County)’ means all waters of Black Creek from its confluence with North Fork Edisto River upstream to its headwaters at Taylors Pond Dam near S.C. State Highway S‑32‑77 (Two Notch Road Bridge) in Lexington County.

 ‘Black Mingo Creek’ means all waters of Black Mingo Creek from its confluence with the Black River upstream to the confluence of Paisley Swamp and Cedar Swamp Creeks.

 ‘Black River’ means all waters of Black River from its confluence with the Great Pee Dee River upstream to its headwaters northwest of S.C. State Highway S‑31‑33 near McCutchens Crossroads in Lee County.

 ‘Bohicket Creek (Charleston County)’ means all waters of Bohicket Creek from its confluence with North Edisto River upstream to its confluence with Church Creek.

 ‘Broad River’ means all waters of Broad River from its confluence with the Saluda River at U.S. Highway 1/U.S. Highway 378 (Gervais Street Bridge) upstream to the North Carolina/South Carolina state line.

 ‘Lower reach of the Broad River’ means all waters of the Broad River from its confluence with the Saluda River at U.S. Highway 1/U.S. Highway 378 (Gervais Street Bridge) upstream to Parr Dam.

 ‘Upper reach of the Broad River’ means all waters of the Broad River from Parr Dam upstream to the North Carolina/South Carolina state line.

 ‘Broad River **(**Beaufort County)’ means all waters of Broad River from its confluence with Port Royal Sound upstream to the confluence of Whale Branch, Coosawhatchie River, and Pocotaligo River.

 ‘Buffalo Creek (Newberry County)’ means all waters of Buffalo Creek from its confluence with Lake Murray upstream to State Highway S‑36‑404.

 ‘Bull Creek (Georgetown and Horry Counties)’ means all waters of Bull Creek from its divergence from the Great Pee Dee River to its confluence with the Waccamaw River.

 ‘Bull River (Beaufort County)’ means all waters of Bull River from its confluence with Coosaw River upstream to its confluence with Wimbee Creek and Williman Creek.

 ‘Bulls Bay’ means all open bay waters bounded on the east by a line running northeast from the northern tip of Bull Island following the COLREG line to the southern tip of Sandy Point.

 ‘Bush River’ means all waters of Bush River from Lake Murray in Newberry County at S.C. State Highway S‑36‑41, upstream to its headwaters beyond S.C. State Highway S‑30‑72 Bridge (Gary Street) in Laurens County.

 ‘Calibogue Sound’ means all waters between Hilton Head Island and Daufuskie Island bounded on the seaward side by a line running due west from the westernmost tip of Hilton Head Island (N32° 6.825’ W80° 49.776’) and bounded on the inland side by a line from the northern tip of Daufuskie Island (N32° 8.838’ W80° 50.354’) running along the marsh shore of Bull Island to its easternmost point (N32° 11.459’ W80° 47.371’) and then running due east to Hilton Head Island, and then following the shoreline in a southwesterly direction across the confluence of Broad Creek to the westernmost tip of Hilton Head Island.

 ‘Cape Romain Harbor (Charleston County)’ means all waters inshore of the COLREG line between Cape Island and Murphy Island and bounded on the eastern side by Cape Island and to its confluence with Romain River, Horsehead Creek, Congaree Boat Creek, and Alligator Creek, and inshore of the COLREG line from Cape Island to Raccoon Key.

 ‘Catawba River’ means all waters of the Catawba River from the backwaters of Fishing Creek Reservoir at S.C. State Highway 9 upstream to the Lake Wylie Dam.

 ‘Chattooga River’ means all waters of the Chattooga River beginning at its confluence with Opossum Creek upstream to the North Carolina/South Carolina state line.

 ‘East Fork Chattooga River’ means all waters of East Fork Chattooga River from its confluence with the Chattooga River upstream to the North Carolina/South Carolina state line.

 ‘Chauga River’ means all waters of the Chauga River from Lake Hartwell upstream to the confluence of Village and East Village Creeks.

 ‘Chechessee Creek (Beaufort County)’ means all waters of Chechessee Creek from its confluence with Chechessee River upstream to the confluence with Colleton River near Manaqault Neck.

 ‘Chechessee River (Beaufort County)’ means all waters of Chechessee River from its confluence with Port Royal Sound upstream to the confluence with Hazzard Creek.

 ‘New Chehaw River (Colleton County)’ means all waters of New Chehaw River from its confluence with the Combahee River upstream to its diversion from the Old Chehaw River.

 ‘Old Chehaw River (Colleton County)’ means all waters of Old Chehaw River from its confluence with the Combahee River upstream to its headwaters outside of the town of Green Pond.

 ‘Cheohee Creek’ means all waters of Cheohee Creek from its confluence with Flat Shoal River and Tamassee Creek upstream to its headwaters east of S.C. State Highway 107 in Oconee County.

 ‘Church Creek (Charleston County)’ means all waters of Church Creek from its confluence with Wadmalaw River in Wadmalaw Sound upstream to its confluence with Bohicket Creek.

 ‘Clark Sound’ means all waters bounded on the northwestern side by James Island and on the eastern side by marshes associated with Morris Island.

 ‘Clark’s Creek’ means all waters of Clark’s Creek from its confluence with the Great Pee Dee River upstream to its divergence from the Lynches River in Florence County.

 ‘Colleton River (Beaufort County)’ means all waters of Colleton River from its confluence with Chechessee River upstream until its confluence with Okatee River.

 ‘Combahee River’ means all waters of the Combahee River from its confluence with the Coosaw River upstream to the confluence of the Salkehatchie and Little Salkehatchie Rivers.

 ‘Congaree River’ means all waters of the Congaree River from its confluence with the Wateree River upstream to the confluence with the Broad and Saluda Rivers at U.S. Highway 1/U.S. Highway 378 (Gervais Street Bridge).

 ‘Cooper River (Beaufort County)’ means all waters of Cooper River from its confluence with Calibogue Sound upstream to its confluence with the New River.

 ‘Cooper River (Berkeley and Charleston Counties)’ means all waters of Cooper River from its confluence with the Ashley River in the Charleston Harbor upstream to the confluence of East Branch Cooper River and West Branch Cooper River.

 ‘Cooper River system (Berkeley and Charleston Counties)’ means all waters of Cooper River and its fresh water tributaries, from the freshwater/saltwater dividing line to its headwaters including the East and West Branch and the Tailrace Canal.

 ‘Coosaw River (Beaufort County)’ means all waters of Coosaw River from its confluence with Saint Helena Sound upstream to its confluence with Whale Branch, McCalleys Creek, and Brickyard Creek.

 ‘Coosawhatchie River’ means all waters of the Coosawhatchie River from its confluence with the Broad River (Jasper County) upstream to U.S. Highway 301 in Allendale County.

 ‘Great Cypress Swamp’ means all waters of the Great Cypress Swamp from its confluence with the Ashley River upstream to the confluence of Partridge Creek and Wassamasaw Swamp Creek or Big Run Creek.

 ‘Dawhoo River (Charleston County)’ means all waters of Dawhoo River from its confluence with the North Edisto River upstream to its divergence with the South Edisto River.

 ‘Durbin Creek (Greenville and Laurens Counties)’ means all waters of Durbin Creek from its confluence with the Enoree River in Laurens County upstream to S.C. State Highway 418 in Laurens County.

 ‘Eastatoe Creek’ means all waters of Eastatoe Creek from Lake Keowee backwaters upstream to the North Carolina/South Carolina state line.

 ‘Edisto River’ means all waters of the Edisto River from its confluence with the South Edisto River and Dawhoo River upstream to the confluence of the North Fork Edisto River and South Fork Edisto River.

 ‘North Edisto River’ means all waters of the North Edisto River from its confluence with the Atlantic Ocean upstream to the confluence of Dawhoo River and Wadmalaw River.

 ‘South Edisto River’ means all waters of the South Edisto River from its confluence with Saint Helena Sound upstream to the confluence of the Edisto River and Dawhoo River.

 ‘North Fork Edisto River’ means all waters of the North Fork Edisto River from its confluence with the South Fork Edisto River upstream to the confluence of Chinquapin Creek and Lightwood Knot Creek in Lexington County.

 ‘South Fork Edisto River’ means all waters of the South Fork Edisto River from its confluence with the North Fork Edisto River upstream to S.C. State Highway S‑19‑41(Edisto Road) in Edgefield County.

 ‘Enoree River’ means all waters of the Enoree River from its confluence with the Broad River upstream to its headwaters near S.C. State Highway S‑23‑869 (Tubbs Mt. Road).

 ‘Five Fathom Creek (Charleston County)’ means all waters of Five Fathom Creek from its confluence with Bull’s Bay just west of Sandy Point to its divergence from the Intracoastal Waterway.

 ‘Folly Creek (Charleston County)’ means all waters of Folly Creek from its confluence with Folly River upstream to its confluence with Lighthouse Creek.

 ‘Folly River (Charleston County)’ means all waters of Folly River from its confluence with the Atlantic Ocean north of Stono Inlet upstream to the tidal flats behind Folly Island and onto its confluence with Rat Island Creek.

 ‘Harbor River (Beaufort County)’ means all waters of Harbor River from its confluence with Saint Helena Sound and the Atlantic Ocean upstream to its confluence with Station Creek and Trenchards Inlet.

 ‘Jefferies Creek’ means all waters of Jefferies Creek from its confluence with the Great Pee Dee River upstream to S.C. State Highway 403 in Darlington County.

 ‘Kiawah River (Charleston County)’ means all waters of Kiawah River from its confluence with the Atlantic Ocean at Captain Sam’s Inlet upstream to its confluence with the Stono River.

 ‘Little River (Abbeville, Anderson, and McCormick Counties)’ means all waters of Little River from the backwaters of Lake J. Strom Thurmond in McCormick County upstream to the confluence of Baker Creek (Long Branch) and Corner Creek in Anderson County. ‘Little River (Horry County)’ means all waters of Little River from its confluence with the Atlantic Ocean at Little River Inlet upstream to its confluence with the Intercoastal Waterway to the headwaters of Socastee Creek.

 ‘Little River (Newberry and Laurens Counties)’ means all waters of Little River from its confluence with the Saluda River upstream to S.C. State Highway S‑30‑419 (Ghost Creek Road) in Laurens County.

 ‘Little River (Sumter County)’ means all waters of Little River from its confluence with the Wateree River upstream to its divergence from the Wateree River.

 ‘Log Creek (Edgefield County)’ means all waters of Log Creek from its confluence with Turkey Creek upstream to S.C. State Highway 23 (Columbia Highway).

 ‘Long Cane Creek (McCormick County)’ means all waters of Long Cane Creek from the backwaters of Lake J. Strom Thurmond near S.C. State Highway 28 in McCormick County upstream to S.C. State Highway S‑1‑75 in Abbeville County.

 ‘Lumber River’ means all waters of Lumber River from its confluence with the Little Pee Dee River upstream to the North Carolina/South Carolina state line.

 ‘Lynches River’ means all waters of Lynches River from its confluence with the Great Pee Dee River upstream to the North Carolina/South Carolina state line.

 ‘May River (Beaufort County)’ means all waters of May River from its confluence with Calibogue Sound upstream to its headwaters just past the confluence of Stoney Creek.

 ‘McCoy’s Cut (Jasper County)’ means all waters of McCoy’s Cut from its divergence from Savannah River to its confluence with Union Creek to form the Little Back River.

 ‘Mill Creek (Florence County)’ means all waters of Mill Creek from its confluence with Muddy Creek upstream to its divergence from Lynches River.

 ‘Morgan River (Beaufort County)’ means all waters of Morgan River from its confluence with Saint Helena Sound upstream to the confluence of Lucy Point Creek and Warsaw Flats.

 ‘Muddy Creek (Florence and Williamsburg Counties)’ means all waters of Muddy Creek from its confluence with Clark’s Creek upstream to its headwaters near Hemmingway, South Carolina.

 ‘Mulberry Creek (Greenwood County)’ means all waters of Mulberry Creek from the backwaters of Lake Greenwood upstream to U.S. Highway 25 in Greenwood County.

 ‘Mungen Creek (Beaufort County)’ means all waters of Mungen Creek from its divergence from the New River to its confluence with the New River.

 ‘Murrell’s Inlet (Georgetown County)’ means all saltwaters of Murrell’s Inlet from the seaward tip of the Murrell’s Inlet jetties inland. This includes these tributary creeks: Main Creek, Woodland Creek, Parsonage Creek, Allston Creek, and Oaks Creek and adjacent marshes.

 ‘New River’ means all waters of New River from its confluence with the Atlantic Ocean upstream to its headwaters at Garrett Lake near U.S. Interstate Highway 95.

 ‘North Santee Bay’ means all waters of the bay west of a line running southwest from the southern tip of South Island to the eastern tip of Cedar Island and upstream to the confluence of Mosquito and Big Duck Creeks.

 ‘Okatee River (Beaufort County)’ means all waters of Okatee River from its confluence with Colleton River upstream to its headwaters near U.S. Highway 278.

 ‘Oolenoy River’ means all waters of Oolenoy River from its confluence with the South Saluda River upstream to its headwaters near US Highway 178 in Pickens County.

 ‘Pacolet River’ means all waters of Pacolet River from its confluence with the Broad River upstream to the Lake H. Taylor Blalock Dam in Spartanburg County.

 ‘North Pacolet River’ means all waters of North Pacolet River from its confluence with the South Pacolet River upstream to the North Carolina/South Carolina state line.

 ‘South Pacolet River’ means all waters of South Pacolet River from Lake William C. Bowen in Spartanburg County upstream to its headwaters near Glassy Mountain in Greenville County.

 ‘Great Pee Dee River (also known as Pee Dee River or Big Pee Dee River)’ means all waters of Great Pee Dee River from its confluence with Winyah Bay upstream to the North Carolina/South Carolina state line.

 ‘Little Pee Dee River’ means all waters of Little Pee Dee River from its confluence with the Great Pee Dee River upstream to Red Bluff Lake Dam at the confluence of Gum Swamp Creek and Beaver Dam Creek in Marlboro County.

 ‘Pocotaligo River (Beaufort, Hampton and Jasper Counties)’ means all waters of Pocotaligo River from its confluence with the Broad River upstream to its headwaters north of U.S. Highway 17 in Jasper County.

 ‘Pocotaligo River (Clarendon and Sumter Counties)’ means all waters of Pocotaligo River from its confluence with the Black River upstream to the confluence of Cane Savannah Creek and Turkey Creek in Sumter County.

 ‘Port Royal Sound’ means all waters of Port Royal Sound between Hilton Head Island and Bay Point, bounded on the seaward side by a line running northeasterly from the easternmost tip of Hilton Head Island (N32° 12.972’ W80° 40.048’), to the southernmost tip of Bay Point (N32° 15.390’ W80° 37.918’), and bounded on the inland side by a line from the northernmost tip of Hilton Head Island (N32° 16.236’ W80° 43.676’), running northeasterly to the southern tip of Parris Island (N32° 17.875’ W80° 40.076’), and thence running southeasterly to the southern tip of Bay Point.

 ‘Price Creek(Charleston County)’meansall waters of Price Creek from its confluence with the Atlantic Ocean upstream to its divergence from Sewee Bay.

 ‘Rabon Creek(Laurens County)’ means all waters of Rabon Creek from the backwaters of Lake Greenwood upstream to the Lake Rabon Dam in Laurens County.

 ‘Re‑diversion Canal’ means all waters of the Re‑diversion Canal from its confluence with the Santee River upstream to the St. Stephen Dam and those waters upstream of the dam to its juncture with Lake Moultrie in Berkeley County.

 ‘Reedy River’ means all waters of Reedy River from the backwaters of Lake Greenwood at S.C. State Highway S‑30‑6 in Laurens County, upstream to Boyd Millpond Dam, and all waters upstream of Boyd Millpond to its headwaters near Renfrew and Travelers Rest in Greenville County at S.C. State Highway S‑23‑103.

 ‘Rocky River’ means all waters of Rocky River from Lake Secession upstream to the confluence of Little Beaverdam and Beaverdam Creeks in Anderson County.

 ‘Saint Helena Sound’ means all waters of Saint Helena Sound bounded by Edisto Beach, Otter Island, Ashe Island, Morgan Island, St. Helena Island, and Harbor Island, bounded on the seaward side by the COLREG line from Edisto Beach to Hunting Island, and bounded on the inland side by the U.S. Highway 21 bridge in the mouth of Harbor River, from the northern tip of Coffin Point (N32° 26.782’ W80° 29.007’), just east of the mouth of Coffin Creek running north crossing the mouth of Morgan River to the eastern tip of Morgan Island marsh (N32° 28.137’ W80° 28.626’), and then running north across the mouth of Coosaw River to the southern tip of Ashe Island (N32° 29.768’ W80° 28.355’), and by a line running due west from the western tip of Ashe Island (N32° 30.189’ W80° 27.329’), crossing the mouth of Rock Creek to Hutchinson Island, and by a line running south across the mouth of the Ashepoo River to the eastern side of Otter Island (N32° 28.720’ W80° 25.151’) and extending to the southern tip of Edisto Beach (N32° 28.643’ W80° 20.304’).

 ‘Salkehatchie River’ means all waters of Salkehatchie River from its confluence with the Little Salkehatchie River upstream to the confluence of Buck Creek and Rosemary Creek near S.C. State Highway S‑06‑166 in Barnwell County.

 ‘Little Salkehatchie River’ means all waters of Little Salkehatchie River from its confluence with the Salkehatchie River upstream to the Lake Cynthia Dam in Barnwell County.

 ‘Middle Saluda River’ means all waters of Middle Saluda River from its confluence with South Saluda River upstream to its headwaters near U.S. Highway 276 in Greenville County.

 ‘North Saluda River’ means all waters of North Saluda River from its confluence with South Saluda River upstream to the North Saluda Reservoir (Poinsett Reservoir) Dam.

 ‘South Saluda River’ means all waters of South Saluda River from its confluence with Saluda River and North Saluda River upstream to the Table Rock Dam in Greenville County.

 ‘Lower reach of the Saluda River’ means all waters of Saluda River from its confluence with Broad River upstream to the Lake Murray Dam.

 ‘Middle reach of the Saluda River’ means all waters of Saluda River from the backwaters of Lake Murray at S.C. State Highway 395, upstream to the Lake Greenwood Dam.

 ‘Upper reach of the Saluda River’ means all waters of Saluda River from the backwaters of Lake Greenwood upstream to the confluence of North Saluda River and South Saluda River.

 ‘Little Saluda River’ means all waters of Little Saluda River from the backwaters of Lake Murray upstream to the confluence of Mine Creek and Red Bank Creek near U.S. Highway 378 in Saluda County.

 ‘Sampit River’ means all waters of Sampit River from its confluence with Winyah Bay upstream to U.S. Highway 17A in Georgetown County.

 ‘Santee River’ means all waters of Santee River from its confluence with North Santee River and South Santee River upstream to the Lake Marion Dam and from the backwaters of Lake Marion at the railroad trestle bridge near Rimini upstream to the confluence of the Congaree and Wateree Rivers.

 ‘North Santee River’ means all waters of North Santee River from its confluence with North Santee Bay upstream to its confluence with the Santee River and South Santee River.

 ‘South Santee River’ means all waters of South Santee River from its confluence with the Atlantic Ocean upstream to its confluence with Santee River and North Santee River.

 ‘Lower reach of the Santee River’ means all waters of Santee River from its confluence with the Atlantic Ocean upstream via the North Santee River, the South Santee River, and the Santee River to the Lake Marion Dam including the waters of the Re‑diversion Canal upstream to the St. Stephen Dam.

 ‘Upper reach of the Santee River’ means all waters of Santee River from the backwaters of Lake Marion at the railroad trestle bridge near Rimini upstream to the confluence of the Congaree and Wateree Rivers.

 ‘Santee River system’ means all waters of Santee River including tributaries from the saltwater/freshwater dividing line on the North and South Santee Rivers upstream to the Lake Murray Dam on the Saluda River, the Canal Dam on the Broad River, and the Wateree Dam on the Wateree River.

 ‘Savannah River’ means all waters of Savannah River from its confluence with the Atlantic Ocean upstream to the Lake J. Strom Thurmond Dam and from the backwaters of Richard B. Russell Lake upstream to the Lake Hartwell Dam.

 ‘Lower reach of the Savannah River’ means all waters of Savannah River from its confluence with the Atlantic Ocean or mouth of the Savannah River as defined by a line from Jones Island, South Carolina (also known as Oysterbed Island) point at N32° 02’18” (N32.03833°), W80° 53’ 21” (W80.88917°); across Cockspur Island, Georgia, point at N. 32° 01’ 58” (N32.03278°), W80° 52’ 56” (W80.88222°) to Lazaretto Creek, Georgia, point at N32° 01’ 2” (N32.01722°) W80° 52’ 51” (W80.88083°) upstream to the Lake J. Strom Thurmond Dam.

 ‘Upper reach of the Savannah River’ means all waters of Savannah River from S.C. State Highway 181 (the backwaters of Richard B. Russell Lake) upstream to the Lake Hartwell Dam.

 ‘Socastee Creek (Horry County)’ means all waters of Socastee Creek from its confluence with Waccamaw River upstream to the Intercoastal Waterway to the headwaters of Little River.

 ‘Stevens Creek’ means all waters of Stevens Creek from the back waters of Stevens Creek Reservoir upstream to the confluence of Hard Labor Creek and Cuffytown Creek in McCormick County.

 ‘Stono River (Charleston County)’ means all waters of Stono River from its confluence with the Atlantic Ocean at Stono Inlet upstream to its confluence with Wadmalaw River in Wadmalaw Sound.

 ‘Story River (Beaufort County)’ means all waters of Story River from its confluence with Fripps Inlet upstream to its confluence with Trenchards Inlet.

 ‘Thicketty Creek’ means all waters of Thicketty Creek, excluding private impoundments, from its confluence with the Broad River upstream to the Lake Thicketty Dam in Cherokee County.

 ‘Trenchards Inlet(Beaufort County)’ means all waters of Trenchards Inlet from its confluence with the Atlantic Ocean upstream to its confluence with Station Creek and Harbor River.

 ‘Tulifinny River’ means all waters of Tulifinny River from its confluence with the Coosawhatchie River upstream to its divergence from the Coosawhatchie River.

 ‘Turkey Creek (Edgefield County)’ means all waters of Turkey Creek from its confluence with Stevens Creek upstream to S.C. State Highway 23 in Edgefield County.

 ‘Tyger River’ means all waters of Tyger River from its confluence with Broad River upstream to the confluence of the North Tyger River and South Tyger River.

 ‘Middle Tyger River’ means all waters of Middle Tyger River from its confluence with the North Tyger River upstream to its headwaters just north of S.C. State Highway 11, excluding Lake Lyman.

 ‘North Tyger River’ means all waters of North Tyger River from its confluence with the South Tyger River upstream to its headwaters south of S.C. State Highway 11 in Spartanburg County.

 ‘South Tyger River’ means all waters of South Tyger River from its confluence with the North Tyger River upstream to the confluence of Mush Creek and Barton Creek in Greenville County, excluding the lakes.

 ‘Union Creek (Jasper County)’ means all waters of Union Creek from its confluence with McCoy’s Cut and Little Back River upstream to its headwaters near Chisolm Cemetery.

 ‘Waccamaw River’ means all waters of Waccamaw River from its confluence with Winyah Bay upstream to the North Carolina/South Carolina state line.

 ‘Wadmalaw River (Charleston County)’ means all waters of Wadmalaw River from its confluence with the North Edisto River to its junction with the Intracoastal Waterway and Church Creek.

 ‘Wando River’ means all waters of Wando River from its confluence with the Cooper River upstream to its headwaters.

 ‘Warrior Creek’ means all waters of Warrior Creek from its confluence with the Enoree River upstream to its headwaters just west of S.C. State Highway S‑30‑660 in Laurens County.

 ‘Wateree River’ means all waters of Wateree River from its confluence with the Congaree River upstream to the Lake Wateree Dam.

 ‘Whale Branch (Beaufort County)’ means all waters of Whale Branch from its confluence with Coosaw River, McCalleys Creek, and Brickyard Creek upstream to its junction with the Broad River.

 ‘Wilson Creek (Greenwood County)’ meansall waters of Wilson Creek from its confluence with the Saluda River upstream to U.S. Highway 25/U.S. Highway 221/U.S. Highway 178 Bypass in Greenwood County.

 ‘Winyah Bay’ means all waters of Winyah Bay east of a line running south from the southern tip of North Island to the eastern tip of Sand Island, and extending to the mouths of the Sampit, Great Pee Dee, and Waccamaw Rivers.

 ‘Wright River (Jasper County)’ means all waters of Wright River from its confluence with the Atlantic Ocean upstream to its headwaters in Jasper County.

 ‘Lake H. Taylor Blalock’ means all waters of Pacolet River impounded by the Lake Blalock Dam upstream to the confluence with North Pacolet River below Reservoir #1 (Rainbow Lake) Dam in Spartanburg County.

 ‘Lake William C. Bowen’ means all waters of South Pacolet River impounded by the Lake Bowen Dam upstream to S.C. State Highway 11.

‘Cedar Creek Lake (also known as Stumpy Pond or Rocky Creek Lake)’ means all waters of Catawba River impounded by the Cedar Creek/Rocky Creek Dam upstream to the Dearborn Powerhouse on Rocky Creek and U.S. Highway 21 on Rocky Creek. This includes waters between the Cedar Creek Hydro Station on the west bank upstream to the base of the shoals north of Hill Island (Bypass Reach).

 ‘Lake Cooley’ means all waters of Jordan Creek impounded by the Lake Cooley Dam upstream to S.C. State Highway S‑42‑784 (Ballenger Road) in Spartanburg County.

 ‘Lake Cunningham’ means all waters of South Tyger River impounded by the Lake Cunningham Dam upstream to S.C. State Highway 101 in Greenville County.

 ‘Fishing Creek Reservoir’ means all waters of Catawba River impounded by the Fishing Creek Dam upstream to S.C. State Highway 9. This includes all waters upstream of the Fishing Creek Dam to the confluence of Rum Creek and Cane Creek on Cane Creek and to Catawba Ridge Boulevard on Bear Creek.

 ‘Goose Creek Reservoir’ means all waters of Goose Creek impounded by the Goose Creek Reservoir Dam upstream to U.S. Highway 52 in Berkley County.

 ‘Lake Greenwood’ means all waters of Saluda River impounded by the Buzzard’s Roost (Lake Greenwood) Dam upstream to U.S. Highway 25 including the tributaries of Cane Creek upstream to S.C. State Highway 72, Rabon Creek upstream to S.C. State Highway S‑30‑54 in Laurens County, and the Reedy River upstream to S.C. State Highway S‑30‑6 in Laurens County.

 ‘Lake Hartwell’ means all waters of Savannah River impounded by the Lake Hartwell Dam upstream to the Lake Yonah Dam on the Tugaloo River and to the Lake Keowee Dam on the Keowee River. This includes all waters upstream of Hartwell Dam to S.C. State Highway S‑04‑97 on Six and Twenty Creek in Anderson County.

 ‘Lake Hartwell Tailwater’ means all waters of Savannah River upstream of S.C. State Highway 181 to Lake Hartwell Dam.

 ‘Lake Jocassee’ means all waters of Keowee, Toxaway, and Whitewater Rivers impounded by the Lake Jocassee Dam upstream to the elevation of 1110 msl.

 ‘Lake Keowee’ means all waters of Keowee River impounded by the Little River Dam at Newry and the Keowee Dam to Jocassee Dam. This includes all waters upstream of the Little River Dam to the confluence of Cane Creek and Little Cane Creek on Cane Creek, to S.C. State Highway S‑37‑175 on Crooked Creek, to S.C. State Highway S‑37‑24 (Burnt Tanyard Road) on Little River, and to S.C. State Highway S‑37‑200 on Stamp Creek in Oconee County. This includes all waters upstream of the Keowee Dam to the confluence of Eastatoe River and Little Eastatoe Creek on the Eastatoe River; S.C. State Highway 133 on Cedar, Crowe, and Mile Creeks in Pickens County.

 ‘Louther’s Lake’ means the oxbow lake off of the Great Pee Dee River in eastern Darlington County near S.C. State Highway S‑16‑495.

 ‘Lake Lyman’ means all waters of Middle Tyger River impounded by the Lake Lyman Dam upstream to S.C. State Highway S‑42‑75 in Spartanburg County.

 ‘Lake Marion’ means all waters of the Santee River and its tributaries impounded by the Lake Marion Dam including the flooded backwater areas within the Santee Cooper project area in Calhoun and Sumter Counties.

 ‘Lake Monticello’ means all waters of Frees Creek impounded by the Frees Creek Dam upstream to S.C. State Highway S‑20‑99 in Fairfield County.

 ‘Lake Moultrie’ means all waters impounded by the Pinopolis Dam including the Diversion Canal and those waters of the Re‑diversion Canal within the Santee Cooper project area.

 ‘Lake Murray’ means all waters of Saluda River impounded by the Lake Murray Dam upstream to S.C. State Highway 395 and the Little Saluda River arm up to Big Creek.

 ‘Parr Reservoir’ meansall waters of Broad River impounded by the Parr Reservoir Dam upstream to S.C. State Highway 34.

 ‘Reservoir #1 (Rainbow Lake)’ means all waters of South Pacolet River impounded by the Reservoir #1 Dam upstream to Lake William C. Bowen Dam in Spartanburg County.

 ‘Lake Robinson (Darlington and Chesterfield Counties)’ means all waters of Black Creek and its tributaries impounded by the Lake Robinson Dam upstream to its headwaters west of S.C. State Highway S‑13‑46 in Chesterfield County.

 ‘Lake Robinson (Greenville County)’ means all waters of South Tyger River impounded by the Lake Robinson Dam upstream to S.C. State Highway S‑23‑114.

 ‘Lake Russell’ means all waters of Savannah River impounded by the Lake Richard B. Russell Dam upstream to S.C. State Highway 181 including the tributary Rocky River upstream to the Lake Secession Dam.

 ‘Lake Secession’ means all the waters of Rocky River impounded by the Lake Secession Dam upstream to S.C. State Highway 413.

 ‘Stevens Creek Reservoir’ means all waters of Savannah River upstream of the Stevens Creek Dam to the Lake J. Strom Thurmond Dam including the tributary of Stevens Creek upstream to the confluence of Dry Branch, Cheves Creek, and Stevens Creek in Edgefield County.

 ‘Lake J. Strom Thurmond (formerly Clarks Hill Lake)’ means all waters of Savannah River impounded by the Lake J. Strom Thurmond Dam upstream to the Richard B. Russell Dam, including the tributaries of Little River to Calhoun Mill at the S.C. State Highway 823 Bridge and Long Cane Creek to Patterson Bridge at S.C. State Highway S‑33‑117 in McCormick County.

 ‘Lake Tugaloo’ means all waters of Tugaloo River impounded by the Lake Tugaloo Dam upstream to the confluence of the Chattooga River and Opossum Creek in Oconee County.

 ‘Lake Wateree’ means all waters of Catawba and Wateree Rivers impounded by the Lake Wateree Dam upstream to the Cedar Creek Hydro Station and Rocky Creek Hydro Station and the dam between the two. This includes the waters to the confluence of Colonel Creek and the first unnamed tributary on Colonel Creek; to the confluence of Fox (June) Creek and the first unnamed tributary on Fox (June) Creek; to S.C. State Highway S‑28‑101 on Rochelle Creek; to the confluence of Dutchman’s Creek and the first unnamed tributary on the south side of Dutchman’s Creek; to the confluence of Taylor Creek and the first unnamed tributary on the north side of Taylor Creek; to U.S. Highway 21 on Little Wateree Creek and Big Wateree Creek; to Wildlife Road on Singletons Creek; to S.C. State Highway S‑28‑13 on Beaver Creek and to S.C. State Highway 97 on White Oak Creek.

 ‘Lake Wylie’ means all waters of Catawba River impounded by the Lake Wylie Dam upstream to the southern end of Sunset Island, which constitutes the North Carolina/South Carolina state line, and bounded on the east by the North Carolina/South Carolina state line, which follows the middle of the course of the Catawba River. This includes all waters impounded by the Lake Wylie Dam to S. C. State Highway 274 on Little Allison Creek; to the confluence of Big Branch and Allison Creek on Big Allison Creek; to Vineyard Road on Torrance Creek; to the confluence of Beaver Dam Creek and Crowder’s Creek on Crowder’s Creek; to the confluence of the first unnamed tributary on Mill Creek and Mill Creek; to the North Carolina/South Carolina state line on Catawba Creek. The upper boundary of Lake Wylie is the North Carolina/South Carolina state line located mid channel of the Catawba River at the confluence of the Catawba River and South Fork Catawba River.

 ‘Lake Yonah’ means all waters of Tugaloo River impounded by the Lake Yonah Dam upstream to the Lake Tugaloo Dam.”

**Regulation of devices for taking shad, herring, or eels**

SECTION 4. Section 50‑5‑1500 of the 1976 Code is amended to read:

 “Section 50‑5‑1500. (A) This article governs specific diadromous fisheries in both freshwaters and salt waters.

 (B) The department may restrict the number of devices for taking shad, herring, or eels in any body of water because of statutory limitations on placement of devices or to prevent congestion of devices or watercraft or for conservation purposes. The department may grant permits to commercial saltwater or commercial freshwater fishermen for this purpose. Permits may be limited in number and may be conditioned so as to designate areas, size, and take limits, hours, type, and amount of equipment, and catch reporting requirements.”

**Shad, herring, or eel sale requirements**

SECTION 5. Chapter 5, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑5‑1556. A commercial fisherman who sells shad, herring, or eels must sell to either a licensed wholesale seafood dealer or a licensed bait dealer or must be licensed as a wholesale seafood dealer or bait dealer.”

**Residency requirements for hunting and fishing licenses**

SECTION 6. Section 50‑9‑30 of the 1976 Code is 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 hundred sixty‑five days or less, ‘resident’ means a United States citizen who has been domiciled in this State for thirty consecutive days or more immediately preceding the date of application;

 (2) a multiyear 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 recreational license, permit, or tag in item (1) and (2), the following are considered residents:

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

 (b) an active member of the United States Armed Forces, and the member’s dependents, stationed in this State for sixty days or longer or who is domiciled in this State;

 (4) 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;

 (5) 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;

 (6)(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;

 (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) Applicants for resident licenses must furnish proof of residency as may be required by the department.

 (C)(1) ‘Nonresident’ means a citizen of a foreign country or a United States citizen who is not domiciled in this State or who maintains a permanent residence in another state or who does not otherwise meet the definition of a resident.

 (2) For a business, a ‘nonresident’ means a business that is not incorporated in this State or that does not otherwise meet the definition of resident in item (A)(6)(b).”

**Replacement licenses**

SECTION 7. Section 50‑9‑80 of the 1976 Code is amended to read:

 “Section 50‑9‑80. A license, permit, or tag issued pursuant to this title may be replaced only upon affidavit from the licensee that the original was lost or destroyed and upon payment of the fee:

 (1) for a duplicate license or permit the fee is three dollars, one dollar of which the issuing sales vendor may retain;

 (2) for a duplicate disability or lifetime license issued by the department, there is no fee;

 (3) for a replacement nongame fish tag, the fee is one dollar per tag for residents and five dollars per tag for nonresidents;

 (4) for a duplicate individual antlerless deer tag, the fee is one dollar per tag.”

**Commercial licenses**

SECTION 8. Chapter 9, Title 50 of the 1976 Code is amended by adding:

“Article 4

Commercial Licenses

 Section 50‑9‑410. (A) For the privilege of taking nongame freshwater fish for a commercial purpose, a resident must purchase an annual freshwater commercial fishing license for fifty dollars, one dollar of which the issuing sales vendor may retain.

 (B) For the privilege of taking nongame freshwater fish for a commercial purpose, a nonresident must purchase an annual freshwater commercial fishing license for one thousand dollars, twenty dollars of which the issuing sales vendor may retain.

 (C) A commercial freshwater license is required to:

 (1) fish six or more crayfish traps;

 (2) fish three or more eel pots;

 (3) fish an Elver fyke net;

 (4) fish four or more gill nets or a total of more than one hundred yards of net;

 (5) fish two or more hoop nets;

 (6) fish three or more traps;

 (7) fish four or more trotlines;

 (8) acquire more than three trotline tags or fish trotlines with a combined total of more than one hundred fifty‑one hooks;

 (9) take freshwater fish for commercial purposes.

Section 50‑9‑420. A person taking shad, herring, or eels for commercial purposes:

 (1) in the salt waters of this State, must obtain a commercial saltwater fishing license and a commercial saltwater equipment license and related permits;

 (2) in the freshwaters of this State, must obtain a commercial freshwater license and a commercial saltwater equipment license and related permits.

 Section 50‑9‑430. The cost for a scientific collection permit is ten dollars.”

**Type of license required for taking shad, herring, or eels**

SECTION 9. Article 5, Chapter 9, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑9‑545. A person taking shad, herring, or eels for recreation:

 (1) in the saltwaters of this State must have a recreational saltwater fishing license; if using a gill net or eel pot, must have an annual recreational saltwater license and a saltwater commercial equipment license and related permits;

 (2) in the freshwaters of this State must have a recreational freshwater fishing license; if using a gill net or eel pot, must have an annual recreational freshwater fishing license and a saltwater commercial equipment license and related permits.”

**Additional requirements for taking nongame freshwater fish**

SECTION 10. Article 5, Chapter 9, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑9‑610. (A) In addition to the licenses required to take freshwater fish each licensee taking nongame freshwater fish, when using these devices must have:

 (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) A resident sixty‑five years of age or older is not required to purchase a permit for recreational fishing of fifty set hooks or less but must tag each device with his name and department customer identification number.”

**Freshwater nongame fish sale requirements**

SECTION 11. Article 11, Chapter 13, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑13‑1615. A person selling, offering for sale, or possessing for sale freshwater nongame fish must have in possession dated invoices, bills of sale, or other documentation verifying the origin of the fish and from whom procured.”

**Night fishing prohibited**

SECTION 12. Article 5, Chapter 19, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑19‑250. Fishing at night in that portion of Four Hole Swamp known as Bridge Lake, in Dorchester County, is prohibited except during the shad season.”

**Slade Lake fishing and recreational requirements**

SECTION 13. Article 5, Chapter 19, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑19‑251. (A) The lawful size for black bass in Slade Lake in Edgefield County is twelve inches. The lawful catch limit for bass in Slade Lake is two per day, and the lawful catch limit for all other fish is fifteen per day.

 (B) The open season for fishing on Slade Lake is the first day of April and ends on the first day of November. During the open season, fishing is only allowed on Wednesdays, Saturdays, and Sundays, opening one‑half hour before sunrise and closing one‑half hour after sundown. A valid fishing license is required for a person sixteen years of age or older.

 (C) It is unlawful to take any fish of any kind from Slade Lake except by hook and line, which includes poles, rod and reel, and natural or artificial bait, excluding minnows, and no person may use more than two poles at the same time. Nongame fishing devices may not be used.

 (D) It is unlawful on Slade Lake or the recreational area of Slade Lake to:

 (1) use watercraft of any kind on Slade Lake unless the watercraft is operated using oars or an electric trolling motor;

 (2) have rifles, shotguns, or other firearms in one’s possession;

 (3) litter;

 (4) have a glass container in one’s possession;

 (5) have beer, wine, or other alcoholic beverages in one’s possession;

 (6) operate a motor vehicle off designated roadways or park a vehicle outside of designated parking areas.

 (E) A person violating a provision of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than ten dollars or more than one hundred dollars or imprisoned not less than ten days or more than thirty days, or both.”

**Shelly Lake fish sanctuary**

SECTION 14. Article 19, Chapter 19, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑19‑1190. (A) There is created a fish sanctuary in Marion County to be known as Shelly Lake.

 (B) It is unlawful for a person to fish, seine, net, or otherwise enter upon Shelly Lake in Marion County, located one‑half mile south of Red Bluff Landing on the west side of the Little Pee Dee River. A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty‑five dollars or more than one hundred dollars or imprisoned not less than fifteen days or more than thirty days.”

**Sections repealed**

SECTION 15. Sections 50‑1‑100, 50‑13‑1130, 50‑13‑1135, 50‑13‑1150, 50‑13‑1155, 50‑13‑1160, 50‑19‑1910, 50‑19‑1920, 50‑19‑1930, Article 39, Chapter 19, Title 50, 50‑19‑2620, and 50‑19‑2630 of the 1976 Code are repealed.

**Time effective**

SECTION 16. This act takes effect upon approval by the Governor.

Ratified the 25th day of May, 2010.

Approved the 28th day of May, 2010.

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