**South Carolina General Assembly**

118th Session, 2009-2010

**A197, R222, S836**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Cromer

Document Path: l:\council\bills\nbd\11509bh09.docx

Introduced in the Senate on May 14, 2009

Introduced in the House on April 15, 2010

Last Amended on May 18, 2010

Passed by the General Assembly on May 20, 2010

Governor's Action: May 28, 2010, Vetoed

Legislative veto action(s): Veto overridden

Summary: Riverbanks Parks Commission

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/14/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\05-14-09.docx)‑6

5/14/2009 Senate Referred to Committee on **Fish, Game and Forestry** [SJ](file:///h:\SJ%20Archive\2009\05-14-09.docx)‑6

5/20/2009 Senate Committee report: Favorable **Fish, Game and Forestry** [SJ](file:///h:\SJ%20Archive\2009\05-20-09.docx)‑12

5/21/2009 Scrivener's error corrected

4/13/2010 Senate Amended [SJ](file:///h:\SJ%20Archive\2010\04-13-10.docx)‑17

4/13/2010 Senate Read second time [SJ](file:///h:\SJ%20Archive\2010\04-13-10.docx)‑17

4/14/2010 Scrivener's error corrected

4/14/2010 Scrivener's error corrected

4/14/2010 Senate Read third time and sent to House [SJ](file:///h:\SJ%20Archive\2010\04-14-10.docx)‑71

4/15/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\04-15-10.docx)‑30

4/15/2010 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** [HJ](file:///h:\HJ%20Archive\2010\04-15-10.docx)‑30

5/6/2010 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** [HJ](file:///h:\HJ%20Archive\2010\05-06-10.docx)‑11

5/18/2010 House Amended [HJ](file:///h:\HJ%20Archive\2010\05-18-10.docx)‑160

5/18/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\05-18-10.docx)‑160

5/19/2010 House Read third time and returned to Senate with amendments [HJ](file:///h:\HJ%20Archive\2010\05-19-10.docx)‑9

5/20/2010 Senate Concurred in House amendment and enrolled [SJ](file:///h:\SJ%20Archive\2010\05-20-10.docx)‑78

5/25/2010 Ratified R 222

5/28/2010 Vetoed by Governor

6/2/2010 Senate Veto overridden by originating body Yeas‑31 Nays‑7 [SJ](file:///h:\SJ%20Archive\2010\06-02-10.docx)‑177

6/3/2010 House Veto overridden Yeas‑79 Nays‑1 [HJ](file:///h:\HJ%20Archive\2010\06-03-10.docx)‑23

6/11/2010 Effective date 06/03/10

6/15/2010 Act No. 197

**VERSIONS OF THIS BILL**

[5/14/2009](file:///p:\pprever\2009-10\836_20090514.docx)

[5/20/2009](file:///p:\pprever\2009-10\836_20090520.docx)

[5/21/2009](file:///p:\pprever\2009-10\836_20090521.docx)

[4/13/2010](file:///p:\pprever\2009-10\836_20100413.docx)

[4/14/2010](file:///p:\pprever\2009-10\836_20100414.docx)

[4/14/2010-A](file:///p:\pprever\2009-10\836_20100414A.docx)

[5/6/2010](file:///p:\pprever\2009-10\836_20100506.docx)

[5/18/2010](file:///p:\pprever\2009-10\836_20100518.docx)

(A197, R222, S836)

**AN ACT** **TO AMEND SECTION 51‑13‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RULES AND REGULATIONS OF THE RIVERBANKS PARKS COMMISSION, SO AS TO DELETE PROVISIONS THAT AUTHORIZE THE RIVERBANKS PARKS COMMISSION TO ADOPT RULES AND REGULATIONS REGARDING PARK PROPERTY AND AUTHORIZE THE COMMISSION TO EMPLOY POLICE OFFICERS, TO PROHIBIT CERTAIN ACTIVITIES WHILE ON PARK PROPERTY, AND TO DELETE THE PROVISION THAT FINES AND FORFEITURES COLLECTED PURSUANT TO SECTIONS 51‑13‑50 THROUGH 51‑13‑80 BE FORWARDED TO THE RIVERBANKS PARKS COMMISSION.**

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

**Deletion of provision authorizing Riverbanks Parks Commission to adopt rules and regulations regarding park property; prohibition of certain activities while on park property; deletion of provision regarding fines and fees forwarded to Riverbanks Parks Commission**

SECTION 1. Section 51‑13‑80 of the 1976 Code is amended to read:

“Section 51‑13‑80. (A) A person who enters Riverbanks Park property may not, without express permission of the executive director:

(1) frighten, annoy, kill, injure, feed or attempt to frighten, annoy, kill, injure, or feed a mammal, bird, reptile, amphibian, or other animal in the zoo or gardens;

(2) display advertising matter by signs or distribute advertising matter within the park area;

(3) sell or offer for sale goods, wares, services, or merchandise within the park area;

(4) use boisterous, insulting, or profane language or conduct himself in a disorderly, lewd, obscene, or lascivious manner in the park area;

(5) enter a portion of the park which is designated as restricted, enter an area during the hours of the day when the area is not open to the public, or enter the park or recreation area which is closed. The executive director shall post the hours during which the area is open to the public;

(6) keep, permit, or bring a mammal, bird, reptile, amphibian, or other animal, domestic or wild, in a zoo or garden area unless permitted by the Parks Service Animal Guidelines and approved by the executive director;

(7) carry on or about his person or discharge a gun, pistol, or firearm of any kind, including an air gun, bow and arrow, or dangerous weapon within or across the park, which does not apply to a person licensed to carry a concealed weapon;

(8) wade, swim, fish, or boat within an area of the zoo or garden not so designated;

(9) drive or propel a vehicle in, over, or through the park area except in areas designated for driving or park purposes;

(10) operate a motor vehicle in the park area at a speed in excess of the posted speed limit;

(11) use the park or its recreation areas, grounds, or facilities to either perform or allow the performance of the following acts, unless the activity is authorized, permitted, or supervised by the executive director or his designees:

(a) wilfully mark, deface, disfigure, injure, tamper with, or displace or remove buildings, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines, or other public utilities or parts or appurtenances, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal;

(b) throw, discharge, or otherwise place or cause to be placed in the waters of a fountain, pond, lake, stream, bay, or other body of water in or adjacent to the park or a tributary, stream, storm sewer, or drain flowing into these waters any substance, matter, or things, liquid or solid, which will or may result in the pollution of these waters;

(c) dig or remove soil, rock, stones, trees, shrubs, or plants, down‑timber or other wood or materials, or make an excavation by tool, equipment, blasting, or other means, except that digging must be permitted in areas designated for this purpose;

(d) damage, cut, carve, transplant, or remove a tree or plant, injure the bark or pick the flowers or seeds of a tree or plant, or attach a rope, wire, or other contrivance to a tree or plant. A person may not dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of an area;

(e) bring in or dump, deposit, or leave bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other litter, or place refuse or litter in waters in or contiguous to the park, or anywhere on the grounds, other than in the proper receptacles, where provided;

(f) endanger the safety of a person by conduct or act, prevent a person from using the park or its facilities, or interfere with use in compliance with this section;

(g) build or attempt to build a fire, except at places specifically designated for this purpose or as permitted by the park. A person may not drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper, or other inflammable material within the park;

(h) possess or consume alcoholic beverages, beer, or wine; provided, however, alcoholic beverages, beer, or wine, must be allowed:

(i) when possession and consumption is specifically authorized by the executive director and the event organizer obtains a permit or license if required by the South Carolina Department of Revenue for the possession or consumption of alcoholic beverages, beer, or wine at the event; or

(ii) at private functions, authorized by the executive director, for which the South Carolina Department of Revenue does not require a permit or license for the possession or consumption of alcoholic beverages, beer, or wine;

(i) possess, explode, discharge, or ignite fireworks unless specifically permitted by the park;

(j) park or leave automobiles, trucks, bicycles, unicycles, tricycles, scooters, mopeds, motorcycles, motorbikes, motorized carts, or other motorized vehicles in areas not specifically designated for that purpose or other than at unauthorized times; and

(k) vend, sell, peddle, or offer for sale a commodity or article, except sales conducted by or specifically permitted by the executive director.

(B)(1) A person who violates the provisions of this section must be tried by the magistrate of Richland or Lexington County who has jurisdiction of the area in which the violation occurred.

(2) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.”

**Time effective**

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

Ratified the 25th day of May, 2010.

Vetoed by the Governor -- 5/28/2010.

Veto overridden by Senate -- 6/2/2010.

Veto overridden by House -- 6/3/2010.

\_\_\_\_\_\_\_\_\_\_