**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 19 TO TITLE 55 SO AS TO ESTABLISH CERTAIN REQUIREMENTS PERTAINING TO AERIAL SPRAYING, INCLUDING THE PROHIBITION OF AERIAL SPRAYING WITHIN A DEFINED PROXIMITY OF A SCHOOL.

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

SECTION 1. Title 55 of the 1976 Code is amended by adding:

“CHAPTER 19

Aerial Spraying

Section 55‑19‑10. For purposes of this chapter:

(1) ‘Aerial spraying’ means aerial spraying, dusting, seeding, or any other agricultural operation or pest control.

(2) ‘Commission’ means the South Carolina Aeronautics Commission.

Section 55‑19‑20. (A) No person piloting an aircraft shall engage in aerial spraying within this State unless the aircraft being used has first been properly registered by the South Carolina Aeronautics Commission. The registration must be issued without charge to the applicant on appropriate forms to be furnished by the South Carolina Aeronautics Commission.

(B) Prior to the issuance of a registration certificate by the commission, an applicant must, under oath, certify that the aircraft to be engaged in the operation of aerial spraying shall be equipped with approved type safety belt and shoulder harness, provided further that the operator of the aircraft shall, at all times, wear the approved safety belt and shoulder harness while the aircraft is engaged in the operation of aerial spraying.

Section 55‑19‑30. (A) Notwithstanding another provision of law, a person piloting an aircraft may not engage in aerial spraying within this State within one thousand feet of the premises of a school during regular school operating hours and when an extracurricular activity occurs on the school’s premises outside of regular hours of operation including, but not limited to, athletic events, afterschool clubs, and parent‑teacher conferences.

(B) Violation of this section subjects the person to a civil penalty of at least one thousand dollars but not more than five thousand dollars, to be paid to the South Carolina Aeronautics Commission or other agency authorizing the person to engage in aerial spraying, and may subject the person to loss of any registration or permit required to operate the aircraft, at the discretion of the commission or other agency.”

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

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