**South Carolina General Assembly**

124th Session, 2021-2022

**A77, R93, H3865**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Wetmore, Hewitt, Cogswell, Bustos, Anderson, Stavrinakis, Bennett, Erickson and Bradley

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Introduced in the House on February 10, 2021

Introduced in the Senate on March 17, 2021

Last Amended on May 6, 2021

Passed by the General Assembly on May 12, 2021

Governor's Action: May 17, 2021, Signed

Summary: Watercraft Laws

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/10/2021 House Introduced and read first time ([House Journal‑page 4](file:///h%3A%5Chj%5C20210210.docx))

 2/10/2021 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 4](file:///h%3A%5Chj%5C20210210.docx))

 3/3/2021 House Member(s) request name added as sponsor: Erickson, Bradley

 3/11/2021 House Committee report: Favorable with amendment **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 3](file:///h%3A%5Chj%5C20210311.docx))

 3/16/2021 House Amended ([House Journal‑page 22](file:///h%3A%5Chj%5C20210316.docx))

 3/16/2021 House Read second time ([House Journal‑page 22](file:///h%3A%5Chj%5C20210316.docx))

 3/16/2021 House Roll call Yeas‑107 Nays‑4 ([House Journal‑page 24](file:///h%3A%5Chj%5C20210316.docx))

 3/17/2021 House Read third time and sent to Senate ([House Journal‑page 22](file:///h%3A%5Chj%5C20210317.docx))

 3/17/2021 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h%3A%5Csj%5C20210317.docx))

 3/17/2021 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 7](file:///h%3A%5Csj%5C20210317.docx))

 5/5/2021 Senate Committee report: Favorable with amendment **Fish, Game and Forestry** ([Senate Journal‑page 12](file:///h%3A%5Csj%5C20210505.docx))

 5/6/2021 Senate Committee Amendment Adopted ([Senate Journal‑page 48](file:///h%3A%5Csj%5C20210506.docx))

 5/6/2021 Senate Amended ([Senate Journal‑page 48](file:///h%3A%5Csj%5C20210506.docx))

 5/11/2021 Senate Read second time ([Senate Journal‑page 24](file:///h%3A%5Csj%5C20210511.docx))

 5/11/2021 Senate Roll call Ayes‑45 Nays‑0 ([Senate Journal‑page 24](file:///h%3A%5Csj%5C20210511.docx))

 5/12/2021 Senate Read third time and returned to House with amendments ([Senate Journal‑page 34](file:///h%3A%5Csj%5C20210512.docx))

 5/12/2021 House Concurred in Senate amendment and enrolled ([House Journal‑page 77](file:///h%3A%5Chj%5C20210512.docx))

 5/12/2021 House Roll call Yeas‑109 Nays‑0 ([House Journal‑page 77](file:///h%3A%5Chj%5C20210512.docx))

 5/13/2021 Ratified R 93

 5/17/2021 Signed By Governor

 6/1/2021 Effective date 07/01/21

 6/1/2021 Act No.  77

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**VERSIONS OF THIS BILL**

[2/10/2021](file:///p%3A%5Cpprever%5C2021-22%5C3865_20210210.docx)

[3/11/2021](file:///p%3A%5Cpprever%5C2021-22%5C3865_20210311.docx)

[3/16/2021](file:///p%3A%5Cpprever%5C2021-22%5C3865_20210316.docx)

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[5/6/2021-A](file:///p%3A%5Cpprever%5C2021-22%5C3865_20210506A.docx)

[5/7/2021](file:///p%3A%5Cpprever%5C2021-22%5C3865_20210507.docx)

(A77, R93, H3865)

**AN ACT TO AMEND SECTION 50‑21‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT LAWS AND ORDINANCES, SO AS TO PROHIBIT A LOCAL GOVERNMENT FROM ADOPTING AN ORDINANCE RELATING TO WATERCRAFT OR WATER DEVICES USED OR HELD FOR USE ON THE WATERS OF THIS STATE AND TO PROVIDE EXCEPTIONS.**

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

**Watercraft laws, local ordinances**

SECTION 1. Section 50‑21‑30 of the 1976 Code is amended to read:

 “Section 50‑21‑30. (A) For the purposes of this section, ‘floating structure’ means a man‑made object other than a watercraft that is capable of flotation and that is not authorized by a permit issued by an agency of this State.

 (B) The provisions of Title 50 and other applicable laws of this State shall govern the operation, equipment, titling, numbering, and all other matters relating thereto for watercraft and water devices using or held for use on the waters of this State. A local government may not adopt an ordinance regulating watercraft or water devices used or held for use on the waters of this State unless the ordinance is:

 (1) identical to a provision of this chapter;

 (2) identical to a regulation promulgated under the authority of a provision of this chapter; or

 (3) authorized pursuant to the provisions of this section.

 (C)(1) A local government may adopt an ordinance requiring a permit for a watercraft or floating structure to remain moored, anchored, or otherwise located in any one five‑mile radius on public waters within its local jurisdiction for more than fourteen consecutive days. The cost of a permit required by a local government may not exceed fifteen dollars. An ordinance adopted pursuant to this subsection must not apply to watercraft:

 (a) moored to a dock or marina berth with permission from the dock or berth owner;

 (b) moored to a mooring buoy that is permitted by the Department of Health and Environmental Control with permission from the buoy owner; or

 (c) moored to a mooring buoy with permission from the buoy owner, provided that the buoy is in the location as it existed on public waters on June 30, 2021.

 (2) Notwithstanding Section 5‑7‑140(B), the corporate limits of any municipality bordering on the high‑water mark of a navigable body of water, other than the Atlantic Ocean, are extended to the center of the channel of the navigable body of water for the sole purpose of enforcing an ordinance adopted pursuant to this subsection.

 (D) An officer of the department who reasonably believes that watercraft within a local government’s jurisdiction is in violation of an ordinance adopted pursuant to the provisions of this section must provide the location of the watercraft to the local government.

 (E) The department is hereby authorized to make special rules and regulations with reference to the operation of watercraft on the waters of this State.”

**Time effective**

SECTION 2. This act takes effect on July 1, 2021.

Ratified the 13th day of May, 2021.

Approved the 17th day of May, 2021.

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