

## Session 115 - (2003-2004)

### H\*3950 (Rat #0130, Act #0060 of 2003) General Bill, By Witherspoon

#### Summary: Aquaculture Enabling Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 18, TITLE 50, SO AS TO ENACT THE AQUACULTURE ENABLING ACT, TO PROVIDE CERTAIN DEFINITIONS USED IN REGULATING AQUACULTURE, TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES HAS THE AUTHORITY TO PERMIT, LICENSE, AND REGULATE AQUACULTURE AND AQUACULTURE BUSINESSES, TO PROVIDE FOR CERTAIN LICENSES AND FEES, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO ENGAGE IN COMMERCIAL AQUACULTURE IN THIS STATE EXCEPT AS PROVIDED IN THIS ARTICLE, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ARTICLE; TO AMEND SECTION 50-9-710, RELATING TO PAY PONDS AND PAY-TO-FISH BUSINESSES, SO AS TO PROVIDE THAT PATRONS OF COMMERCIAL FISHING LAKES AND PAY-TO-FISH BUSINESSES ARE EXEMPT FROM PURCHASING AN INDIVIDUAL ANNUAL LICENSE IF THE COMMERCIAL FISHING BUSINESS HAS A VALID AQUACULTURE PERMIT OR REGISTRATION; TO AMEND SECTION 50-13-280, AS AMENDED, RELATING TO LIMITS ON POSSESSION OF GAME FISH, SO AS TO PROVIDE THAT THESE LIMITS DO NOT APPLY TO AQUACULTURE PRODUCED FISH; TO AMEND SECTION 50-13-1130, AS AMENDED, RELATING TO REQUIRING A COMMERCIAL FRESHWATER FISHING LICENSE WHEN TAKING CATFISH FROM PUBLIC WATERS, SO AS TO DELETE THE REFERENCE TO CATFISH AND PROVIDE THAT A PERSON TAKING FRESHWATER NONGAME FISH EXCEPT SHAD, HERRING, AND STURGEON FROM PUBLIC WATERS WHO SELLS OR OFFERS THEM FOR SALE MUST HAVE A COMMERCIAL FRESHWATER FISHING LICENSE AND MUST HAVE CERTAIN INVOICES AND OTHER DOCUMENTATION SHOWING THE ORIGIN AND FROM WHERE THE FISH WERE PROCURED AND TO PROVIDE PENALTIES FOR VIOLATIONS; TO AMEND SECTION 50-13-1610, AS AMENDED, RELATING TO THE UNLAWFUL SALE OF AND TRAFFIC IN CERTAIN GAME FISH, SO AS TO PROVIDE AN EXCEPTION FOR GAME FISH AS ALLOWED BY TITLE 50 AND TO REVISE THE PENALTY PROVISIONS OF THIS SECTION; TO AMEND SECTION 50-5-1335, AS AMENDED, RELATING TO THE UNLAWFUL SETTING OR USE OF A BLUE CRAB TRAP FOR COMMERCIAL PURPOSES, SO AS TO CLARIFY THESE PROVISIONS AND TO ALSO APPLY THIS PROHIBITION TO CERTAIN PORTIONS OF DEBORDIEU CREEK, THE SAMPIT RIVER, AND LITTLE CHECHESEE CREEK; AND TO REPEAL ARTICLE 1, CHAPTER 18, TITLE 50, RELATING TO HYBRID STRIPED BASS, SECTION 50-13-510, RELATING TO CERTAIN POND OWNER PERMITS, SECTION 50-13-1620, RELATING TO PENALTIES FOR UNLAWFUL SELLING OF FRESHWATER TROUT, SECTION 50-13-1640, RELATING TO DRAWING PRIVATE PONDS AND DISPOSING OF FISH, SECTION 50-13-1650, RELATING TO UNLAWFUL TRANSPORTATION OF GAME FISH OUT-OF-STATE, SECTION 50-13-1680, RELATING TO THE SALE OF MARKED TROUT, SECTION 50-13-1690, RELATING TO INFORMATION REQUIRED TO BE MARKED ON TROUT BEFORE SALE, SECTION 50-13-1700, RELATING TO RETAIL MARKETS SHOWING THE ORIGIN OF TROUT, SECTION 50-13-1710, RELATING TO RESPONSIBILITY OF RETAIL MARKETS FOR CERTAIN VIOLATIONS INVOLVING TROUT, SECTION 50-13-1720, RELATING TO REPORTS ON TROUT SOLD OR IMPORTED INTO THE STATE, SECTION 50-13-1730, RELATING TO REGULATIONS ON SELLING AND SHIPPING TROUT, SECTION 50-13-1740, RELATING TO CERTAIN PENALTIES FOR VIOLATIONS RELATING TO SALE AND TRAFFIC IN TROUT, AND SECTION 50-13-1750, RELATING TO GAME FISH BREEDER'S LICENSES. - ratified title

04/08/03	House	Introduced and read first time HJ-81
04/08/03	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-82
04/24/03	House	Committee report: Favorable with amendment Agriculture, Natural Resources and Environmental Affairs HJ-8
04/29/03		Scrivener's error corrected
04/30/03	House	Amended HJ-26
04/30/03	House	Read second time HJ-27
05/01/03	House	Read third time and sent to Senate HJ-8
05/01/03		Scrivener's error corrected
05/06/03	Senate	Introduced and read first time SJ-8
05/06/03	Senate	Referred to Committee on Agriculture and Natural Resources SJ-8
05/21/03	Senate	Polled out of committee Agriculture and Natural Resources SJ-12
05/21/03	Senate	Committee report: Favorable Agriculture and Natural Resources SJ-12
05/22/03	Senate	Amended SJ-31
05/22/03	Senate	Read second time SJ-31
05/27/03		Scrivener's error corrected

05/28/03 Senate Read third time and returned to House with amendments SJ-39  
05/29/03 House Concurred in Senate amendment and enrolled HJ-30  
06/03/03 Ratified R 130  
06/13/03 Signed By Governor  
06/23/03 Copies available  
06/23/03 Effective date 06/13/03  
06/26/03 Act No. 60