**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3103**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Wooten, Huggins and Forrest

Document Path: l:\council\bills\agm\19847cz21.docx

Companion/Similar bill(s): 497

Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Judiciary**

Summary: Boating safety and education

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs**

1/12/2021 House Introduced and read first time ([House Journal‑page 74](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 74](file:///h:\hj\20210112.docx))

1/28/2021 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 7](file:///h:\hj\20210128.docx))

2/2/2021 House Requests for debate‑Rep(s).  Caskey, Bamberg, Long, Magnusson, Ott, Rose, Brittain, Thayer, Weest, Hill, Bailey, Hewitt, Dabney, Calhoon, and Allison ([House Journal‑page 39](file:///h:\hj\20210202.docx))

2/4/2021 House Committed to Committee on **Judiciary** ([House Journal‑page 19](file:///h:\hj\20210204.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3103&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3103_20201209.docx)

[1/28/2021](file:///p:\pprever\2021-22\3103_20210128.docx)

~~Indicates Matter Stricken~~

Indicates New Matter

**H. 3103**

Introduced by Reps. Wooten, Huggins and Forrest

S. Printed 1/28/21--H.

Read the first time January 12, 2021.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 3103) to amend Section 50‑21‑90, Code of Laws of South Carolina, 1976, relating to the Boating Safety and Educational Program, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

DAVID R. HIOTT for Committee.

**A** **BILL**

TO AMEND SECTION 50‑21‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOATING SAFETY AND EDUCATIONAL PROGRAM, SO AS TO PROHIBIT A PERSON BORN AFTER JUNE 30, 2006, FROM OPERATING A PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSEL UNLESS HE HAS COMPLETED A BOATING SAFETY AND EDUCATION COURSE, TO REQUIRE THAT A PERSON MUST HAVE A CERTIFICATE OF COMPLETION ON HIS PERSON OR ON BOARD THE VESSEL, AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 50‑21‑870, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO REMOVE THE LIMITATION ON THE OPERATION OF A PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSEL BY A PERSON YOUNGER THAN SIXTEEN YEARS OF AGE WITHOUT BEING ACCOMPANIED BY AN ADULT OR COMPLETING A BOATING SAFETY COURSE.

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

SECTION 1. Section 50‑21‑90 of the 1976 Code is amended to read:

“Section 50‑21‑90. ~~The department is hereby authorized to inaugurate a comprehensive boating safety and boating educational program, and to seek the cooperation of boatmen, the federal government and other states.~~

(A) No person born after June 30, 2006, may operate a personal watercraft, specialty propcraft, or vessel equipped with a greater than fifteen horsepower engine upon the waters of this State unless the person completes a boating safety and education program administered or approved by the Department of Natural Resources.

(B) A person required to have completed a boating safety education program pursuant to this section must have a certification of completion on his person or on board the personal watercraft, specialty propcraft, or vessel while operating the personal watercraft, specialty propcraft, or vessel and must provide it and a government‑issued photographic communication to any authorized law enforcement officer when requested. A person may provide proof of certification by use of a mobile electronic device.

(C) The Department of Natural Resources shall promulgate regulations relating to boating safety and education programs administered by the department or subject to its approval.

(D) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty dollars but not more than three hundred dollars.”

SECTION 2. Section 50‑21‑870(B)(9) of the 1976 Code is amended to read:

“~~(9)(a)~~ ~~operate a personal watercraft, specialty propcraft, or vessel if he is younger than sixteen years of age, unless accompanied by an adult, eighteen years or older, who is not under the influence of alcohol, drugs, or a combination of them. However, a person younger than sixteen years of age may operate a personal watercraft, specialty propcraft, or vessel without being accompanied by an adult if one or more of the following applies:~~

~~(i)~~ ~~the person completes a boating safety program as administered by the Department of Natural Resources; or~~

~~(ii)~~ ~~the person completes a boating safety program approved by the Department of Natural Resources;~~

~~(iii)~~ ~~anyone operating a vessel with less than fifteen horsepower engine will not be required to take the boating safety program.~~

~~(b)~~ ~~It is unlawful for a person who has temporary or permanent responsibility for a child to knowingly or wilfully violate item (9) of subsection (B).~~

~~(c)~~ ~~The Department of Natural Resources shall promulgate regulations relating to boating safety programs administered by the department or subject to its approval.~~”

SECTION 3. This act takes effect July 1, 2022.

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