**South Carolina General Assembly**

125th Session, 2023-2024

**S. 484**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campsen, Goldfinch, Hutto, Davis and Alexander

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Introduced in the Senate on February 2, 2023

Introduced in the House on April 18, 2023

Last Amended on March 28, 2023

Currently residing in the House Committee on **Ways and Means**

Summary: South Carolina Waterways Protection Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/2/2023 Senate Introduced and read first time (Senate Journal‑page 7)

 2/2/2023 Senate Referred to Committee on **Fish, Game and Forestry** (Senate Journal‑page 7)

 2/15/2023 Senate Committee report: Favorable with amendment **Fish, Game and Forestry** (Senate Journal‑page 5)

 2/16/2023 Scrivener's error corrected

 2/22/2023 Senate Committee Amendment Adopted (Senate Journal‑page 28)

 2/22/2023 Senate Amended (Senate Journal‑page 28)

 2/27/2023 Scrivener's error corrected

 3/28/2023 Senate Amended (Senate Journal‑page 13)

 3/28/2023 Senate Read second time (Senate Journal‑page 13)

 3/28/2023 Senate Roll call Ayes-41 Nays-1 (Senate Journal‑page 13)

 3/29/2023 Scrivener's error corrected

 3/29/2023 Senate Read third time and sent to House (Senate Journal‑page 17)

 4/18/2023 House Introduced and read first time (House Journal‑page 126)

 4/18/2023 House Referred to Committee on **Ways and Means** (House Journal‑page 126)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=484&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/02/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/484_20230202.docx)

[02/15/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/484_20230215.docx)

[02/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/484_20230216.docx)

[02/22/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/484_20230222.docx)

[02/27/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/484_20230227.docx)

[03/28/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/484_20230328.docx)

[03/29/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/484_20230329.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

March 28, 2023

S. 484

Introduced by Senators Campsen, Goldfinch, Hutto, Davis, Senn and Alexander

S. Printed 03/28/23--S. [SEC 3/29/2023 3:49 PM]

Read the first time February 02, 2023

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE “SOUTH CAROLINA WATERWAYS PROTECTION ACT”; BY ADDING SECTION 50‑9‑975 SO AS TO ESTABLISH THE SOUTH CAROLINA WATERWAYS PROTECTION FUND AND THE PURPOSES FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED; BY AMENDING SECTION 50‑23‑220, RELATING TO THE DEPOSIT AND USE OF FUNDS FOR CERTAIN FEES, SO AS TO REQUIRE THAT THREE DOLLARS FROM EACH FEE FOR AN APPLICATION OR RENEWAL OF A CERTIFICATE OF NUMBER MUST BE DEPOSITED INTO THE SOUTH CAROLINA WATERWAYS PROTECTION FUND; BY AMENDING SECTION 50‑23‑340, RELATING TO CERTIFICATES OF NUMBER, SO AS TO INCREASE THE APPLICATION AND RENEWAL FEE FROM TEN DOLLARS TO THIRTEEN DOLLARS; AND BY ADDING SECTION 12‑37‑3215 SO AS TO REQUIRE THAT A TAX NOTICE FOR A UNITED STATES COAST GUARD DOCUMENTED WATERCRAFT MUST INCLUDE A WATERWAYS PROTECTION FEE OF THREE DOLLARS.

 Amend Title To Conform

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

SECTION 1. This act may be cited as the “South Carolina Waterways Protection Act”.

SECTION 2. Article 9, Chapter 9, Title 50 of the S.C. Code is amended by adding:

 Section 50‑9‑975. (A) The South Carolina Waterways Protection Fund is created for the purpose of receiving the three‑dollar waterways protection fee that is attached to each tax notice for a watercraft, as provided in Section 12‑37‑3215.

 (B) Revenues for the fund must be remitted to the State Treasurer and credited to an account that is separate and distinct from the general fund. Balances in the fund must be retained and carried forward annually and interest earned on balances in the fund must be credited to the fund.

 (C) The fund must only be used by the department for the following purposes:

 (1) the removal of hazardous, abandoned, or unattended vessels, marine debris, or hazards to navigation from the waters of this State;

 (2) identification, marking, and lighting of hazards to navigation in accordance with applicable rules governing aids to navigation; and

 (3) the development and administration of a grant program to provide funds to applicants, whether public or private, to remove hazardous, abandoned, or unattended vessels, marine debris, or hazards to navigation from the waters of this State.

 (D) The department must allocate annual fund revenues for use in the four game zones of this State based upon the number of registered and documented watercraft in each game zone. If the department determines a game zone’s proportional allocation is not used or obligated by the end of a fiscal year, it may distribute up to seventy-five percent of the unused and unobligated allocation for use in the other game zones on an as-needed basis. The remaining unused and unobligated allocation must be added to the game zone’s proportional allocation for the following fiscal year. For the purpose of this subsection, Game Zone 1 consists of the entirety of Greenville, Oconee, and Pickens Counties and Game Zone 2 consists of no part of Greenville, Oconee, and Pickens Counties.

 (E) The South Carolina Office of Resilience, upon request from the department, may assist in the development and administration of a grant program established under this section.

 (F) The department must provide an annual report on its website disclosing expenditures from the fund.

SECTION 3. Article 26, Chapter 37, Title 12 of the S.C. Code is amended by adding:

 Section 12‑37‑3215. A tax notice for a watercraft must include a waterways protection fee of three dollars. The fee must be deposited by the county treasurer into the South Carolina Waterways Protection Fund, as established in Section 50‑9‑975. The issuance or renewal of a certificate of number by the Department of Natural Resources is not contingent on the payment of the waterways protection fee.

SECTION 4. Section 50-23-280(A) of the S.C. Code is amended to read:

 (A) (1) Unless otherwise specified, a person violating this chapter is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty-five nor more than five hundred dollars or imprisoned not more than thirty days, or both.

 (2) The owner of an abandoned, junked, or adrift watercraft or outboard motor seized pursuant to this chapter, in addition to any other penalties imposed in this chapter, must also be fined not less than five hundred dollars nor more than the cost of performing the removal of the abandoned, junked, or adrift watercraft or outboard motor. The revenue collected from this fine must be remitted to the State Treasurer and deposited into the South Carolina Waterways Protection Fund.

SECTION 5. This act takes effect on July 1, 2023.

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