**South Carolina General Assembly**

125th Session, 2023-2024

**S. 590**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hutto, Hembree and Senn

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Currently residing in the Senate

Summary: Native American

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/2/2023 Senate Introduced and read first time (Senate Journal‑page 8)

 3/2/2023 Senate Referred to Committee on **Fish, Game and Forestry** (Senate Journal‑page 8)

 3/8/2023 Scrivener's error corrected

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**VERSIONS OF THIS BILL**

[03/02/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/590_20230302.docx)

[03/08/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/590_20230308.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50‑9‑20, RELATING TO DURATION OF HUNTING AND FISHING LICENSES, PERMITS, AND TAGS FOR RECREATIONAL PURPOSES, SO AS TO AMEND THE NATIVE AMERICAN INDIAN LICENSE; BY AMENDING SECTION 50‑9‑530, RELATING TO GRATIS, SENIOR, AND CATAWBA LICENSES, SO AS TO AMEND NATIVE AMERICAN INDIAN LICENSE AND PROVIDE FOR PROCESS FOR PROOF OF MEMBERSHIP OF A RECOGNIZED NATIVE AMERICAN TRIBE OR GROUP; BY AMENDING SECTION 50‑9‑570, RELATING TO LIFETIME LICENSES, SO AS TO UPDATE THE TERM NATIVE AMERICAN INDIAN; AND BY AMENDING SECTION 50‑11‑515, RELATING TO USE OF WILD TURKEY FEATHERS IN ART, SO AS TO PROVIDE FOR SALE OF TRADITIONAL CRAFTS BY NATIVE AMERICAN INDIAN ARTISTS.

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

SECTION 1. Section 50‑9‑20(A)(5) of the S.C. Code is amended to read:

 (A) The duration for hunting and fishing licenses, permits, and tags for recreational purposes is as follows:

 (1) a temporary license, permit, or tag expires after the specified number of consecutive days inclusive of the start date and expiration date;

 (2) an annual license, permit, or tag expires on the last day of the license year for which the license was issued; provided, the department may issue an annual license, permit, or tag that expires the day before the anniversary of the date of its issuance;

 (3) a three‑ year license or permit expires on the last day of the third license year of issue; provided, the department may issue a three‑ year license or permit that expires the day before the third anniversary of the date of its issuance;

 (4) a three‑ year disability license expires the day before the third anniversary of the date of its issuance; and

 (5) the Native American Catawba Indian license expires October 27, 2092.

SECTION 2. Section 50‑9‑530 of the S.C. Code is amended to read:

 Section 50‑9‑530. (A) A resident born before July 1, 1940, may obtain from the department at its designated licensing locations a gratis lifetime hunting and fishing license at no cost.

 (B) A resident born after June 30, 1940, who has attained the age of sixty‑four years may obtain from the department at its designated licensing locations a senior lifetime hunting and fishing license for nine dollars, one dollar of which the issuing sales vendor may retain.

 (C) A resident born after June 30, 1979, who has attained the age of sixty‑four years and who has not completed the required hunter education certification, may obtain a senior lifetime fishing license for nine dollars, one dollar of which the issuing sales vendor may retain. Upon completion of the hunter education certification the licensee may apply to the department for the additional senior lifetime hunting privileges at no cost.

 (D) A member of the Catawba a Native Indian Tribe or group, recognized by the United States Government or the South Carolina Commission for Minority Affairs , who is a resident of this State, upon application to the department at its designated licensing locations may obtain a Catawba Native American Indian hunting and fishing license at no cost. A certification must be included with the application from the Chief of the Catawba Indian Tribe stating the applicant is a bona fide member of the tribe. Along with the application, a Native American Indian must submit an affidavit, signed by the chief of his tribe certifying that the applicant is a member of the chief’s tribe. The Department of Natural Resources may develop a form affidavit to use for all Native American Indian hunting and fishing licenses.

 (E) A member of the Catawba a Native Indian Tribe or group, who is a resident of this State born after June 30, 1979, and who has not completed the required hunter education certification, may obtain a Catawba Native American Indian fishing license at no cost. Upon completion of the hunter education certification the licensee may apply to the department for the additional Catawba Native American Indian hunting privileges at no cost.

 (F) Gratis, senior, and Catawba Native American Indian licenses hunting privileges include statewide hunting, hunting big game, hunting on wildlife management area lands, and hunting migratory waterfowl. The fishing privileges of these licenses include freshwater fishing, freshwater fishing using a set hook, and saltwater fishing.

 (G) There is no cost to a Catawba Native American Indian hunting and fishing licensee for any other tags required by law for recreational hunting and fishing except for those department hunting and fishing activities controlled by lottery.

SECTION 3. Section 50‑9‑570(B) of the S.C. Code is amended to read:

 (B) Residents who have attained the age of sixty‑four and hold a lifetime statewide hunting license, lifetime statewide combination license, gratis lifetime hunting and fishing license, senior lifetime hunting and fishing license, or Catawba Native American Indian hunting and fishing license are not required to obtain a migratory game bird permit.

SECTION 4. Section 50‑11‑515 of the S.C. Code is amended to read:

 Section 50‑11‑515. (A) An Native American Indian artist, who is a member of a tribe recognized by (1) Public Law 101‑644, the Indian Arts and Crafts Board Act, and (2) the state's Commission on Minority Affairs pursuant to Section 1‑31‑40, may use wild turkey feathers in arts and crafts that are offered for sale and sold to the general public is not restricted from the sale to the general public of any traditional craft based upon the use of waste parts of a legally taken animal game, if the artist has on his person a tribal identification card demonstrating his authorization pursuant to this section. the Indian Arts and Crafts Board Act.

 (B) This section does not authorize the sale of other parts of wild turkeys, whether taken lawfully or unlawfully, including, but not limited to, capes, beards, and fans.Prior to receiving a tribal identification card required pursuant to this section, a Native American Indian artist must submit an affidavit, signed by the chief of his tribe, to the South Carolina Commission on Minority Affairs certifying the Native American Indian artist as a member of the tribe or group. The South Carolina Commission on Minority Affairs may develop a form affidavit for use by all Native American Indian artists seeking tribal identification cards.

SECTION 5. This act takes effect upon approval by the Governor.

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