**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3047**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Moss

Document Path: LC-0006AHB25.docx

Prefiled in the House on December 5, 2024

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

Summary: Litter, balloons

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/5/2024 House Prefiled

12/5/2024 House Referred to Committee on **Judiciary**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3047_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16‑11‑705 SO AS TO CREATE THE OFFENSE OF INTENTIONALLY RELEASING, ORGANIZING THE RELEASE OF, OR INTENTIONALLY CAUSING THE RELEASE OF BALLOONS INFLATED WITH GAS THAT IS LIGHTER THAN AIR, AND TO PROVIDE EXCEPTIONS; BY AMENDING SECTION 16‑11‑700, RELATING TO THE DUMPING OF LITTER ON PRIVATE OR PUBLIC PROPERTY, EXCEPTIONS, AND PENALTIES, SO AS TO INCLUDE BALLOONS IN THE LITTER STATUTE; AND BY AMENDING SECTION 16‑11‑710, RELATING TO THE ACCEPTANCE OF A CASH BOND IN LIEU OF AN IMMEDIATE COURT APPEARANCE IN LITTER CONTROL PROSECUTIONS, SO AS TO INCLUDE A VIOLATION OF THE BALLOON STATUTE WHEN A CASH BOND IS ALLOWED.

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

SECTION 1. Article 7, Chapter 11, Title 16 of the S.C. Code is amended by adding:

Section 16‑11‑705. (A) It is unlawful for a person to intentionally release, organize the release of, or intentionally cause to be released balloons inflated with a gas that is lighter than air with the following exceptions:

(1) balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes;

(2) hot air balloons recovered after launching; or

(3) balloons released indoors.

(B) A violation of this section is deemed littering and is punishable pursuant to the provisions of Section 16‑11‑700. However, a person six years of age or younger may not be charged with a violation of this section.

(C) For purposes of this section, “person” means an individual, group of individuals, or organization.

SECTION 2. Section 16‑11‑700(A) of the S.C. Code is amended to read:

(A) A person, from a vehicle or otherwise, may not dump, throw, drop, deposit, discard, or otherwise dispose of litter or other solid waste, as defined by Section 44‑96‑40(2), (6), (32), (33), (43), (46), (73), and (74), and including balloons pursuant to Section 16‑11‑705, cigarette butts, and cigarette component litter, upon waters or public or private property in the State for which he is not the legal owner or a person otherwise granted permission by the legal owner including, but not limited to, a highway, park, beach, campground, forest land, recreational area, trailer park, road, street, or alley except:

(1) on property designated by the State for the disposal of litter and other solid waste and the person is authorized to use the property for that purpose; or

(2) into a litter receptacle in a manner that the litter is prevented from being carried away or deposited by the elements upon a part of the private or public property or waters.

SECTION 3. Section 16‑11‑710 of the S.C. Code is amended to read:

Section 16‑11‑710. When any a person is charged with a violation of Section 16‑11‑700 or Section 16‑11‑705 or any county ordinance relating to litter control, any officer authorized to enforce suchthe law or ordinance may accept a cash bond in lieu of requiring an immediate court appearance. Such bondBond shall not exceed the maximum fine provided for a conviction of the offense charged and may be forfeited to the court by the enforcement officer if the person charged fails to appear in court.

SECTION 4. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.  After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

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