

Fish, Game and Watercraft

Department of Natural Resources

Advertisement for bids of timber on lands held by the Department of Natural Resources 50-3-520

If approved by the State Forester DNR can advertise for bids on such timber as long as it is advertised in two newspapers of general circulation in the area where the timber is located. The notice shall be published at least once a week for three weeks before the date set for the closing of the bids.

Section When	Notice	Where	
50-3-520	An advertisement for the sale of bids on timber that is on DNR's land	Two newspapers of general circulation in the area where the timber is located	Once a week for three weeks prior to the closing of the bids

Exact wording:

“If the sale is approved by the State Forester, the department shall publicly advertise for bids for such timber in at least two newspapers of general circulation in the area in which the timber is located, such advertisements to be published at least once a week for three weeks prior to the closing of the bidding. The board shall have the right to reject any and all bids, either on account of the amounts of the bids or the lack of experience and responsibility of the bidder. Any sale agreed upon shall be for cash.”

South Carolina Marine Resources Act of 2000

Application for the culturing of shellfish 50-5-925

An applicant must publish a notice informing all interested persons that they have applied for a Shellfish Culture Permit or Shellfish Mariculture Permit. The notice shall be placed in a newspaper of general circulation in the county of the proposed permit, once a week for three consecutive weeks. The notice needs to describe the bottoms or waters.

Section When	Notice	Where	
50-5-925	A notice of an application for a Shellfish Culture Permit or Shellfish Mariculture Permit. The notice needs to describe the bottoms or waters.	A newspaper of general circulation in the county of the proposed permit	Once a week for four consecutive weeks

Exact wording:

“Upon conditional approval by the department of the shellfish culture or mariculture application and map, the applicant must publish a notice in a form satisfactory to the department advising all interested persons that the applicant has applied for a Shellfish Culture Permit or Shellfish Mariculture Permit and provide a specific description of the bottoms or waters. The notice must be published once a week for three consecutive weeks in a newspaper of general circulation in the county of the proposed permit.”

Protection of Game

Notice of the confiscation, forfeiture and sale of property used in hunting deer or bear at night

50-11-740

Property including any animals that are used in the night hunting of deer and bears will be confiscated and if just cause is not shown or persons claiming interest do not appear than the property will be forfeited. If the property has no owner than a notice of the seized property shall be placed in a newspaper of local circulation for at least two weeks. Once all the proper proceedings have taken place the forfeited property will be sold to the highest bidder in front of the county courthouse. This may only occur after a public notice has been placed at least once in a newspaper with general circulation in the county where the property was seized.

Section When	Notice	Where	
50-11-740	A notice of seized property if no owner can be found	A newspaper of local circulation	At least two weeks
	A public notice of the sale of the forfeited property in front of the courthouse door	A newspaper with general circulation where the property was seized	At least once

Exact wording:

“Every vehicle, boat, animal, and firearm used in the hunting of deer or bear at night is forfeited to the State and must be confiscated by any peace officer who shall forthwith deliver it to the department.

"Hunting" as used in this section in reference to a vehicle or boat includes the transportation of a hunter to or from the place of hunting or the transportation of the carcass, or any part of the carcass, of a deer or bear which has been unlawfully killed at night.

For purposes of this section, a conviction for unlawfully hunting deer or bear at night is conclusive as against any convicted owner of the above-mentioned property. In all other instances, forfeiture must be accomplished by the initiation by the State of an action in the circuit court in the county in which the property was seized giving notice to owners of record and lienholders of record or other persons having claimed an interest in the property subject to forfeiture and an opportunity to appear and show, if they can, why the property should not be forfeited and disposed of as provided for by this section. Failure of any person claiming an interest in the property to appear at the above proceeding after having been given notice of the proceeding constitutes a waiver of his claim and the property must be immediately forfeited to the State. Notice of the above proceedings must be accomplished by: (a) personal service of the owner of record or lienholder of record by certified copy of the petition or notice of hearing or; (b) in the case of property for which there is no owner or lienholder of record, publication of notice in a newspaper of local circulation in the county where the property was seized for at least two successive weeks before the hearing.

The department shall sell any confiscated device at public auction for cash to the highest bidder in front of the county courthouse in the county where it is confiscated, after having given ten days' public notice of the sale by posting advertisement thereof on the door or bulletin board of the county courthouse or by publishing the advertisement at least once in a newspaper of general circulation in the county. Upon sale, the department shall pay over the net proceeds, after payment of the proper costs and expenses, if any, of the seizure, advertisement, and sale, including any proper expense incurred for the storage of the confiscated device, to the State Treasurer for deposit in the game protection fund. When the device is of greater value than one thousand dollars, the owner may at any time before sale redeem it by paying to the department the sum of one thousand dollars. When the device is of lesser value than one thousand dollars, the owner may at any time before sale redeem it by paying to the department the retail market value. The sums received by the department must be deposited in the game protection fund pursuant to the provisions of this section.”

Notice to lay poison on property to poison predatory animals

50-11-1060

A permit must first be issued for anyone interested in putting poison down on their land for the purpose of poisoning predatory animals. A notice of this must be issued in a newspaper published in the county where the lands are located. This notice shall state the dates the poison will be put out and the description of the areas involved.

Section When	Notice	Where	
50-11-1060	A notice that a person will be putting down poison on their land for the purpose of poisoning predatory animals. The notice needs to state the dates and a description of the areas where the poison will be laid.	A newspaper in the county where the lands are located	After obtaining a permit form DNR and before putting down the poison

Exact wording:

“Any person desiring to put out poison on lands belonging to such person for the purpose of poisoning predatory animals shall first obtain a permit from the department and publish the dates the poison will be put out and describe the areas where it will be placed by one notice in a newspaper published in the county in which the lands are situate. Poison may not be put out on lands in this State otherwise. Any person violating the provisions of this section is guilty of a misdemeanor and is subject to a fine of not less than twenty-five dollars nor more than one hundred dollars or imprisonment of not less than ten days nor more than thirty days.”

Notice of a closed season for the protection of deer and game

50-11-1105

The Department of Natural Resources may declare a closed season on account of abnormal conditions when they see fit that deer and game cannot protect themselves. The closed season cannot be over ten days and a notice must be published in two daily newspapers along with a newspaper in the county or counties where it is taking place. The notice shall state the length or period that the closed season will take place.

Section When	Notice	Where	Where
50-11-1105	A notice of a closed hunting season by DNR when deer and game cannot protect themselves on account of abnormal conditions. The notice shall state the length or period that the closed season will take place.	Two daily newspapers and one newspaper in the county or counties where the closed season is taking place	When abnormal conditions are found and a closed season has been decided upon

Exact wording:

“The department may declare a closed season for not over ten days at any one time in any area in the State when it appears on account of abnormal conditions that deer or other game cannot protect themselves. The department shall give notice of the closed season so declared by publication in at least two daily newspapers and in a newspaper of the county or counties in which the closed season is declared if the county has a newspaper, stating the length or period of the closed season. Any person found hunting with firearms, bows and arrows, or other game-taking devices, or dog within the restricted territory during a closed season so declared is guilty of a violation of the provisions of this section, regardless of whether he has or has not killed or taken any game. The penalty for a violation of the provisions of this section is a fine of not less than one hundred dollars nor more than two hundred dollars or imprisonment for not less than thirty days.”

**Notice of the shortening or closing of open season for the protection of deer and game
50-11-1110**

If a decision is made by the legislative delegation, including the Senator from such county and the Department of Natural Resources sees fit by abnormal conditions than an open season may be shortened or closed in a county. Abnormal conditions arise in this situation when the supply of game is affected or there is scarcity of game found. A notice of this decision must be given in two daily newspapers along with one newspaper in the county or counties. The notice needs to state the length of time of the closed or shortening of the season.

Section When	Notice	Where	Where
50-11-1110	A notice by DNR of the shortening or closing of open season when abnormal conditions are found. The notice shall state the length of time of the closing or shortening	Two daily newspaper along with a newspaper found in the county or counties	When abnormal conditions are found and a decision is made by the legislative delegation, including a Senator from such county

Exact wording:

“When in any county of the State there exist abnormal conditions that might affect the supply of game or there is an abnormal scarcity of game, the department, upon the written request of a majority of the legislative delegation, including the Senator, from such county, may shorten or close the open season for hunting in any such county. The department shall give notice of the closed or shortened season by publication in at least two daily newspapers and in a newspaper of the county in which the closed or shortened season is declared, stating the length of the closed or shortened season. Any person found hunting with gun or dog within the restricted territory during a closed season so declared, is guilty of a violation of the provisions of this section, regardless of whether he has killed any game or not. The penalty for violation of the provisions of this section is a fine of not less than twenty-five dollars nor more than one hundred dollars or imprisonment for not less than thirty days.”

**Notice of a closed season for the protection of fish
50-13-70**

If a closed season is declared for the protection of fish than a notice of the closing must be published in two daily newspapers and one newspaper in the county or counties affected. The notice shall state the length of time of the closed season.

Section When	Notice	Where	
50-13-70	A notice of the declaration of a closed season for the protection of fish. The notice shall state the length of time of the closed season.	Two daily newspapers and one newspaper in the county or counties affected	Once a declaration of the closing has been made

Exact wording:

“The department shall give notice of the closed season so declared by publication in at least two daily newspapers, including a newspaper in the county or counties in which the closed season is declared, if such counties have newspapers therein, stating the length of the period of such closed season.”

**Notice of conditions with respect to lakes and ponds by DNR
50-13-1020**

The Department of Natural Resources has control over the lakes and ponds it leases and may set terms and conditions for the public to follow. The terms and conditions must first be approved by the board and a majority of the legislative body in the county where this will take place. Once approved and before the terms and conditions can take effect a notice of this must be published in a newspaper of general circulation in the county.

Section When	Notice	Where	
50-13-1020	A notice of the establishment of terms and conditions for the public use of lakes and ponds that DNR owns	A newspaper of general circulation in the county where the lakes and ponds are located	After approval by a majority of the county legislative body and before the terms and conditions can take

	or leases		effect
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Exact wording:

“The department has management control over the lakes and ponds which it owns or leases. It may establish the terms and conditions under which the public may use the lakes and ponds for fishing, boating, picnicking, and other related activities. Before taking effect, the conditions and terms must be approved by the board and a majority of the county legislative delegation of the county where the lake or pond is located and published in a newspaper of general circulation in the county. Any person violating the terms and conditions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than thirty days.”

Special Hunting and Fishing Provisions for Certain Counties and Areas

Taking nongame fish (Darlington County) 50-19-240

The Prestwood Lake Wildlife Refuge Board has the right to put in to action rules and regulations for the means of taking nongame fish. After approval by the Department of Natural Resources and before becoming effective a notice of these rules and regulations must be published in a newspaper of general circulation in Darlington County. Once effective these rules and regulation have the force and effect of law.

Section When	Notice	Where	
50-19-240	A notice of rules and regulations by the Prestwood Lake Wildlife Refuge Board for the means by taking nongame fish	A newspaper of general circulation in Darlington County	Once approved by DNR and before becoming effective

Exact wording:

“In addition to the powers and duties set forth in Section 50-19-230, the Board may adopt and promulgate such rules and regulations relating to the use of baskets, nets, trotlines and other means of taking nongame fish as it may deem advisable. No such rule or regulation shall take effect until approved by the department, and notice of such rule or regulation has been published at least once in a newspaper of general circulation in Darlington County. When any such rule or regulation becomes effective it shall have the force and effect of law. Any person convicted of a violation of a rule or regulation adopted pursuant to this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.”

Fishing and hunting in certain portions of the Savannah River 50-19-2240

A mutual agreement by the Department of Natural Resources with authorized officials in Georgia on rules and regulations may be made. The rules and regulations in this section pertain to portions of the Savannah River for the preservation and propagation of fish and game Once copies have been filed with the Secretary of State but before adoption a notice must be placed on

the rules and regulations in newspapers that are circulated in the area for at least once a week for three weeks. These rules and regulations have the force and effect of law.

Section When	Notice	Where	
50-19-2240	A notice of rules and regulations between DNR and authorized officials in Georgia on the preparation and propagation of fish and game pertaining to portions of the Savannah River	Newspapers circulated in the area that the rules and regulations pertain to	At least once a week for three weeks after copies have been filed with the Secretary of State

Exact wording:

“The department shall also negotiate for and enter into a reciprocal agreement with the authorized officials of the state of Georgia, adopting rules and regulations for the preservation and propagation of fish and game within the area described in Section 50-19-2220, the recognition of the licenses and permits of one state by the other and the enforcement of the laws of the two states over the area involved. If necessary to reach such an agreement or it is deemed advisable for the better protection and management of the game and fish of this area, the department may increase the bag limit to not more than twelve bass and thirty other game fish in possession at one time and may make and agree to other reasonable rules and regulations with the Georgia authorities, not inconsistent with the laws of this State, and may change or alter them from time to time. Any rules and regulations so adopted by the authorized officials of the two states on the above subjects and not inconsistent with the laws of this State shall have the force and effect of law, after being published in newspapers circulating in the area at least once a week for three weeks and after copies thereof have been filed with the Secretary of State, as provided by law. Any reciprocal agreement so entered into shall contain a provision that either party thereto may cancel it upon ninety days' written notice to the other party.”

**Notice of rules and regulations on fishing in waters of Hartwell Reservoir
50-19-2640**

A mutual agreement by the Department of Natural Resources with authorized officials in Georgia on rules and regulations may be made. The rules and regulations in this section pertain to portions of the Hartwell Reservoir for the preservation and propagation of fish and game. Once copies have been filed with the Secretary of State but before adoption a notice must be placed on the rules and regulations in newspapers that are circulated in the area for at least once a week for three weeks. These rules and regulations have the force and effect of law.

Section When	Notice	Where	
50-19-2640	A notice of rules and regulations between DNR and authorized officials in Georgia on the preparation and propagation of fish and game pertaining to	Newspapers circulated in the area that the rules and regulations pertain to	At least once a week for three weeks after copies have been filed with the Secretary of State

	the Hartwell Reservoir		
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Exact wording:

“The Department shall also negotiate for and enter into a reciprocal agreement with the authorized officials of the state of Georgia, adopting rules and regulations for the preservation and propagation of fish and game within the area, the recognition of the licenses and permits of one state by the other and the enforcement of the laws of the two states over the area involved. If necessary to reach such agreement or it is deemed advisable for the better protection and management of the game and fish of this area, the Department may increase the bag limit prescribed by item (1) of Section 50-19-2620 to not more than twelve bass and thirty other game fish in possession at one time and may make and agree to other reasonable rules and regulations with the Georgia authorities, not inconsistent with the laws of this State, and may change or alter them from time to time. Any rules and regulations so adopted by the authorized officials of the two states, on the above subjects and not inconsistent with the laws of this State, shall have the force and effect of law after being published in newspapers circulating in the area at least once a week for three weeks and after copies thereof have been filed with the Secretary of State, as provided by law. Any reciprocal agreement so entered into shall contain a provision that either party thereto may cancel it upon ninety days' written notice to the other party.”

Watercraft and Outboard Motors

Notice pertaining to the issuing of a conditional title 50-23-290

If an applicant of a watercraft cannot produce a watercraft title or outboard motor title than a conditional (temporary) title may be issued as long as certain guidelines are met. A notice may be placed in a newspaper of general circulation where the last known titled owner has lived. If there is no record of an owner than it needs to be addressed to all parties claiming interest in the watercraft and published in the applicant’s residence. The form needs to look like:

TO: (Name of last titled owner) and all persons claiming an interest in (description including make, model, year, horsepower, and hull identification or serial number if available). Please take notice that (Name of applicant) shall apply to the South Carolina Department of Natural Resources for a title to that certain (watercraft or outboard motor) described as follows: (Description including make, model, horsepower, year, and hull identification or serial number if available) no later than ten (10) days from the last publication of this notice. This is the (first, second, or third) of three notices to be published weekly for three weeks. If you wish to claim an interest in this (watercraft/outboard motor) you are advised to contact the South Carolina Department of Natural Resources immediately.

Section When	Notice	Where
50-23-290	A notice pertaining to the issuing of a conditional title to an applicant that cannot produce a watercraft title or outboard motor title. The notice must contain a detailed	A newspaper of general circulation in the county where the last known owner lived or if no owner can be found than a newspaper published in the county of the
		Before a conditional title may be issued

	description of the watercraft or out board motor, the placement of the notice and who to contact	applicant's residence addressed to anyone claiming interest to the watercraft	
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Exact wording:

“(A) If an applicant for a watercraft title or outboard motor title is not able to produce a perfected chain of title from the last owner of record or from the manufacturer, the department may issue to the applicant a conditional title which reflects on the face of it that it is conditional and that it does not warrant ownership against the true owner. The conditional title may not be issued unless the department: (1) determines that the watercraft or outboard motor has not been reported as stolen in this State as required by this chapter or in another state; (2) determines that no active liens exist on the watercraft or outboard motor or that the existence of liens is unlikely; and (3) determines that the last titled owner cannot be found or the probability of finding the owner is remote; or (4) determines that the necessary paperwork to perfect the title has been lost, stolen, or destroyed and reasonably cannot be found or duplicated.

(B) The applicant shall cause to be published in a newspaper of general circulation in the county where the last titled owner of the watercraft or outboard motor is known to have lived a notice in the following form:

A. TO: (Name of last titled owner) and all persons claiming an interest in (description including make, model, year, horsepower, and hull identification or serial number if available). Please take notice that (Name of applicant) shall apply to the South Carolina Department of Natural Resources for a title to that certain (watercraft or outboard motor) described as follows: (Description including make, model, horsepower, year, and hull identification or serial number if available) no later than ten (10) days from the last publication of this notice. This is the (first, second, or third) of three notices to be published weekly for three weeks. If you wish to claim an interest in this (watercraft/outboard motor) you are advised to contact the South Carolina Department of Natural Resources immediately.

B. If there is no record of a previous titled owner or he cannot be determined the notice may be addressed to all persons claiming an interest in the watercraft or outboard motor and published in the county of the applicant's residence for the prescribed period. C. Upon receipt of proof of publication (Certification from newspaper with copy of advertisement and dates) and having received no claims from interested parties upon determination of the department that the above conditions exist, the department may issue a conditional title to the watercraft or outboard motor upon receipt of payment of appropriate taxes, fees, and application. D. The conditional nature of the title must be reflected clearly on the face of the title and upon any subsequent titles issued on the watercraft or outboard motor for seven years. E. A person claiming an interest in the watercraft or outboard motor may bring an action within seven years to set the conditional title aside and for the return of the watercraft or outboard motor. Seven years after issuance of the conditional title it is incontestable and a new nonconditional title may be issued upon application and payment of the appropriate fee.”