**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5263**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rose and Mitchell

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Introduced in the House on March 13, 2024

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

Summary: Dangerous wild animals

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/13/2024 House Introduced and read first time (House Journal‑page 8)

 3/13/2024 House Referred to Committee on **Judiciary** (House Journal‑page 8)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5263&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/13/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5263_20240313.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 8 TO TITLE 47 ENTITLED “PUBLIC CONTACT WITH DANGEROUS WILD ANIMALS” SO AS TO DEFINE TERMS, TO PROHIBIT DIRECT CONTACT WITH DANGEROUS WILD ANIMALs, TO PROVIDE EXCEPTIONS, TO ALLOW FOR ENFORCEMENT BY ANIMAL CONTROL AUTHORITIES, LOCAL LAW ENFORCEMENT AGENTS, STATE LAW ENFORCEMENT AGENTS, AND COUNTY SHERIFFS, AND TO PROVIDE PENALTIES.

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

SECTION 1. Title 47 of the S.C. Code is amended by adding:

CHAPTER 8

Public Contact with Dangerous Wild Animals

 Section 47‑8‑10. As contained in this chapter:

 (A) “Animal control authority” means the agency designated by a city or county to administer ordinances regulating, restricting, or prohibiting the possession of a dangerous wild animal. The animal control agency may be a municipal or county animal control agency, county sheriff, or other designated agency.

 (B) “Dangerous wild animal” means any live member of the following, or any hybrid thereof:

 (1) bear;

 (2) elephant; and

 (3) nonhuman primate.

 (C) “Direct contact” means physical contact including, but not limited to, any proximity without a permanent barrier or sufficient vertical height designed to prevent physical shared space between the public and a dangerous wild animal.

 (D) “Person” shall have the same meaning as in Section 47‑2‑10.

 (E) “Professional production crew” means a cast or crew member of a television or motion picture production team that has obtained any permits required by law and includes a professional photographer, videographer, or cinematographer.

 Section 47‑8‑20. Notwithstanding any other provision of law, it is unlawful for any person to allow any member of the public to come into direct contact with a dangerous wild animal.

 Section 47‑8‑30. This chapter does not apply to direct contact between a dangerous wild animal and:

 (A) the owner of the dangerous wild animal;

 (B) the owner of the facility in which the specified animal is kept;

 (C) an employee or agent of the owner of the dangerous wild animal, or an accompanying employee receiving professional training, while acting in the course and scope of official duty;

 (D) a veterinarian licensed pursuant to Chapter 69, Title 40 a veterinary student accompanying a licensed veterinarian, or a registered veterinary technician under the direct supervision of a licensed veterinarian;

 (E) a law enforcement officer or animal control authority acting in the course and scope of official duty;

 (F) a board member of the facility where the animal is kept, trainer, service provider, or professional production crew who:

 (1) is accompanied by the facility’s owner or trained employee;

 (2) is performing work with the specified animal away from public view; and

 (3) under a contract or other engagement with the facility’s owner; and

 (G) the Department of Natural Resources or its employee or agent, while acting in the course and scope of official duty.

 Section 47‑8‑40. The animal control authority and its staff and agents, local law enforcement agents, state law enforcement agents, and county sheriffs are authorized and empowered to enforce the provisions of this chapter.

 Section 47‑8‑50. A person who violates this chapter must be fined not more than one thousand dollars or imprisoned for not more than thirty days for a first offense, and must be fined not more than five thousand dollars or imprisoned for not more than ninety days for a second offense.

SECTION 2. The provisions of this act are in addition to, and not in lieu of, any other laws protecting animal welfare. This act is not intended and should not be construed to limit any other state law or rules protecting the welfare of animals or to prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations that are more stringent than this act.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

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