

## Session 112 - (1997-1998)

**S\*0278 (Rat #0344, Act #0367 of 1998) General Bill, By Leventis, Courson, Glover, Gregory, Hutto, Jackson, Land, McConnell, McGill, O'Dell, Passailaigue, Ravenel, Reese, M.T. Rose, Russell, Ryberg, Thomas and Waldrep**  
**Similar (H 3358)**

A BILL TO AMEND SECTION 47-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "ANIMAL", OR "ANIMALS", SO AS TO REDEFINE THESE TERMS AND DEFINE THE WORDS "SUSTENANCE" AND "SHELTER"; TO AMEND SECTION 47-1-40, AS AMENDED, RELATING TO THE ILL-TREATMENT OF AN ANIMAL SO AS TO ALLOW FOR THE DISPOSITION OF A FIRST OFFENSE CASE OF A PERSON WHO HAS ALLEGEDLY VIOLATED THIS SECTION BY PERMITTING THE CASE TO BE HEARD EITHER IN MAGISTRATE'S COURT OR MUNICIPAL COURT; TO AMEND SECTION 47-1-50, AS AMENDED, RELATING TO PENALTIES FOR THE MISUSE AND ABANDONMENT OF AN ANIMAL, SO AS TO DELETE THE PROVISION THAT A PERSON MAY NOT KNOWINGLY OR WILFULLY AUTHORIZE OR PERMIT AN ANIMAL TO BE SUBJECTED TO UNNECESSARY TORTURE, SUFFERING, OR CRUELTY; TO AMEND SECTION 47-1-70, AS AMENDED, RELATING TO THE ABANDONMENT OF AN ANIMAL AND THE DEFINITION OF THE TERM "NECESSITIES OF LIFE", SO AS TO DELETE THE REQUIREMENT THAT AN ANIMAL MUST BE GIVEN A SUPPLY OF CLEAN, FRESH, AND POTABLE WATER "AT LEAST ONCE DAILY", AND ALLOW OFFENSES UNDER THIS SECTION TO BE TRIED IN EITHER MAGISTRATE'S COURT OR MUNICIPAL COURT; TO AMEND SECTION 47-1-120, RELATING TO THE CUSTODY OF AN ANIMAL WHEN ITS KEEPER IS ARRESTED, SO AS TO DELETE LANGUAGE AND PROVISIONS REGARDING CERTAIN VEHICLES; TO AMEND SECTION 47-1-140, RELATING TO THE CARE OF AN ANIMAL AFTER ITS CUSTODIAN'S ARREST SO AS TO DELETE THE REQUIREMENT THAT AN ANIMAL TAKEN AFTER ITS CUSTODIAN'S ARREST BE CARED AND PROVIDED PROPERLY FOR BY THE PERSON MAKING THE ARREST "UNTIL THE OWNER TAKES CHARGE OF THE ANIMAL", ALLOW AN ANIMAL TO BE SEIZED PRECEDING AN ARREST PURSUANT TO SECTION 47-1-150, AND DELETE THE REQUIREMENT THAT THE OWNER TAKE CHARGE OF THE ANIMAL WITHIN FIFTEEN DAYS FROM THE DATE OF NOTICE FROM THE PERSON MAKING THE ARREST; TO AMEND SECTION 47-1-150, RELATING TO ANIMAL CRUELTY LAWS, SO AS TO PROVIDE THAT, IF AN ANIMAL IS SEIZED PURSUANT TO THIS SECTION AND THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS OR OTHER SOCIETY INCORPORATED FOR THAT PURPOSE IS INVOLVED WITH THE SEIZURE, THE AMOUNT MAY BE HELD PENDING CRIMINAL DISPOSITION OF THE CASE AT A FACILITY MAINTAINED OR CONTRACTED BY THAT AGENCY, AND TO ADD FURTHER PROVISIONS WHICH PROVIDE, AMONG OTHER THINGS, THAT ANY LAW ENFORCEMENT OFFICER OR AGENT OF ANY COUNTY OR OF THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS OR ANY SOCIETY INCORPORATED FOR THAT PURPOSE MAY MOVE BEFORE A MAGISTRATE FOR CERTAIN ORDERS AND THAT IF ANY SEIZED ANIMAL HELD BY COURT ORDER AT THE OWNER'S PREMISES IS REMOVED WITHOUT NOTIFICATION TO THE INVESTIGATING AGENCY, OR IF AN ANIMAL BECOMES SICK OR DIES AND THE OWNER OR CUSTODIAN FAILS IMMEDIATELY TO NOTIFY THE INVESTIGATING AGENCY, THE OWNER MUST BE HELD IN CONTEMPT OF COURT AND FINED UP TO THE PENALTIES PROVIDED BY LAW; TO AMEND SECTION 47-1-170, RELATING TO PENALTIES, FINES, AND LIENS ASSESSED UPON CRUEL USE OF AN ANIMAL, SO AS TO DELETE THE CURRENT PROVISIONS AND REQUIRE THE CONVICTED OWNER OR PERSON HAVING CUSTODY OF A CRUELLY USED ANIMAL TO FORFEIT OWNERSHIP OF THE ANIMAL AND BE RESPONSIBLE FOR COSTS INCURRED AS ORDERED BY THE SENTENCING COURT; AND TO REPEAL SECTION 47-1-30, RELATING TO WILFUL ABUSE OF HORSES OR OTHER "BEASTS OF BURDEN".-AMENDED TITLE

01/30/97	Senate	Introduced and read first time SJ-4
01/30/97	Senate	Referred to Committee on Agriculture and Natural Resources SJ-4
03/06/97	Senate	Committee report: Favorable with amendment Agriculture and Natural Resources SJ-16
03/11/97	Senate	Amended SJ-23
03/11/97	Senate	Read second time SJ-23
04/15/97	Senate	Amended SJ-16
04/15/97	Senate	Read third time and sent to House SJ-16
04/16/97	House	Introduced and read first time HJ-17
04/16/97	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-18
04/15/98	House	Committee report: Favorable with amendment Agriculture, Natural Resources and Environmental Affairs HJ-6
04/16/98	House	Amended HJ-38
04/21/98	House	Requests for debate-Rep(s). Kelley, Barfield, Edge, Keegan, Loftis, Davenport & Witherspoon

		HJ-53
04/22/98	House	Read second time HJ-29
04/22/98	House	Roll call Yeas-92 Nays-0 HJ-32
04/23/98	House	Read third time and returned to Senate with amendments HJ-24
04/29/98	Senate	Concurred in House amendment and enrolled SJ-19
05/21/98		Ratified R 344
05/27/98		Signed By Governor
05/27/98		Effective date 05/27/98
06/23/98		Copies available
06/30/98		Act No. 367