~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

April 28, 2011

**H. 3687**

Introduced by Reps. J.E. Smith, Bingham and Huggins

S. Printed 4/28/11--H.

Read the first time February 15, 2011.

**A** **BILL**

TO AMEND SECTION 50‑5‑2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL EXHIBIT OF A MARINE MAMMAL IN THIS STATE AND PROVIDING PENALTIES FOR VIOLATION, SO AS TO PROHIBIT THE DISPLAY OF A WILD CAUGHT OR CAPTIVE‑BRED DOLPHIN OR WHALE AND TO REQUIRE THE MARINE MAMMAL STRANDING NETWORK TO ATTEMPT TO REHABILITATE AND TO RELEASE ANY BEACH‑STRANDED WHALE OR DOLPHIN AND TO PROVIDE PENALTIES.

Amend Title To Conform

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

SECTION 1. Section 50‑5‑2310 of the 1976 Code is amended to read:

“Section 50‑5‑2310. ~~(A)~~ ~~It is unlawful to exhibit a marine mammal in this State.~~

~~(B)~~ ~~In addition to any other penalty provided in this chapter, a person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars, not more than one thousand dollars per mammal, or imprisoned for not more than thirty days.~~

(A) It is unlawful for a person, which includes a corporation, to display a wild caught or captive‑bred mammal of the order Cetacean (dolphins and whales).

(B) A person violating this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than six months.”

SECTION 2. This act takes effect upon approval by the Governor.

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