**A** **BILL**

TO AMEND SECTION 16‑27‑80 OF THE 1976 CODE, RELATING TO THE EXEMPTIONS OF CERTAIN ACTIVITIES FROM THE ANIMAL FIGHTING AND BAITING ACT, TO DELETE THE EXEMPTION OF “BEAR‑BAYING”; AND TO AMEND SECTION 50‑11‑430, RELATING TO BEAR HUNTING AND UNLAWFUL ACTS IN REGARD TO BEARS INCLUDING A PROVISION THAT IT IS UNLAWFUL TO POSSESS A CAPTIVE BEAR EXCEPT BY PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES, TO PROVIDE THAT A CAPTIVE BEAR FOR WHICH A PERMIT HAS BEEN ISSUED AND WHICH UPON INFORMATION AND BELIEF OF THE DEPARTMENT HAS BEEN OR IS BEING USED FOR THE PURPOSE OF “BEAR‑BAYING” MUST BE TAKEN INTO CUSTODY BY THE DEPARTMENT, AND TO PROVIDE THAT THE DEPARTMENT SHALL MAKE EVERY EFFORT TO PLACE THESE BEARS IN A SUITABLE ENVIRONMENT, INCLUDING ZOOS OR ANIMAL PARKS WITHIN OR OUTSIDE THIS STATE.

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

SECTION 1. Section 16‑27‑80(A) of the 1976 Code is amended to read:

“(A) This chapter does not apply to dogs used for the purpose of hunting, including, but not limited to, hunting on shooting preserves or wildlife management areas authorized pursuant to Title 50, or to dogs used in field trials, including events more commonly known as ‘water races’, ‘treeing contests’, ‘coon‑on‑a‑log’, ~~‘bear‑baying’,~~ or ‘fox‑pen‑trials’. Such ‘fox‑pen‑trials’ must be approved by permit for field trials by the South Carolina Department of Natural Resources.”

SECTION 2. Section 50‑11‑430(D)(6) of the 1976 Code is amended to read:

“(6) possess a captive bear except pursuant to a permit issued by the department. A captive bear, for which a permit has been issued and which upon information and belief of the department has been or is being used for the purpose of ‘bear‑baying’, must be taken into custody by the department. The department shall make every effort to place these bears in a suitable environment, including zoos or animal parks within or outside this State. A violation of the terms of the permit may result in revocation or a civil penalty of up to five thousand dollars, or both. An appeal must be made in accordance with the Administrative Procedures Act;”

SECTION 3. This act takes effect upon approval by the Governor.

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