**A** **BILL**

TO AMEND SECTION 47‑3‑710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN DEFINITIONS, SO AS TO PROVIDE A DANGEROUS ANIMAL MEANS, AMONG OTHER THINGS, AN ANIMAL THAT MAKES AN UNPROVOKED ATTACK ON A DOMESTIC ANIMAL OR AN ANIMAL WHOSE CERTAIN ACTIONS WOULD CAUSE A PERSON REASONABLY TO BELIEVE THE ANIMAL WILL ATTACK AND CAUSE BODILY INJURY TO A DOMESTIC ANIMAL.

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

SECTION 1. Section 47‑3‑710 of the 1976 Code, as last amended by Act 374 of 1992, is further amended to read:

“Section 47‑3‑710. (A) As used in this article, ‘dangerous animal’ means an animal of the canine or feline family:

(1) ~~which the~~ whose owner knows or reasonably should know that the animal has a propensity, tendency, or disposition to attack unprovoked, cause injury, or otherwise endanger the safety of human beings or domestic animals;

(2) ~~which:~~

(a) which makes an unprovoked attack that causes bodily injury to a human being or a domestic animal and the attack occurs in a place other than ~~the place~~ where the animal is confined as required by Section 47‑3‑720; or

(b) which commits an unprovoked ~~acts~~ act in a place other than ~~the place~~ where the animal is confined as required by Section 47‑3‑720 and ~~those acts~~ in a manner to cause a person reasonably to ~~reasonably~~ believe that the animal will attack and cause bodily injury to a human being or a domestic animal; or

(3) ~~which is~~ owned or harbored primarily or in part for the purpose of fighting or ~~which is~~ trained for fighting.

(B) ‘Dangerous animal’ does not include an animal:

(1) ~~an animal~~ used exclusively for an agricultural ~~purposes~~ purpose; or

(2) ~~an animal~~ which attacks a person who is trespassing or who appears to be trespassing. A trespasser is a person who is not lawfully upon the premises of the owner, ~~as set forth in~~ pursuant to Section 47‑3‑770(A).

(C) An animal is not a ‘dangerous animal’ solely ~~by virtue~~ because of its breed or species.

(D) As used in this article, ‘owner’ means a person who owns or has custody or control of the animal.

(E) As used in this article, ‘injury’ or ‘bodily injury’ means:

(1) a broken ~~bones,~~ bone;

(2) ~~lacerations,~~ a laceration;

(3) ~~punctures~~ a puncture of the skin~~,~~; or

(4) ~~any~~ physical injury resulting in death.”

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

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