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RECALLED

April 22, 2009

**H. 3889**

Introduced by Rep. Bales

S. Printed 4/22/09--H.

Read the first time April 2, 2009.

**A** **BILL**

TO AMEND SECTION 47‑13‑1350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HEALTH CERTIFICATION REQUIREMENTS FOR A HORSE TO ENTER THE STATE, SO AS TO REQUIRE TESTING FOR EQUINE STRANGLES AND A VETERINARY CERTIFICATE OF GOOD HEALTH ISSUED NOT MORE THAN THIRTY DAYS BEFORE ENTRY; TO AMEND SECTION 47‑13‑1370, AS AMENDED, RELATING TO THE PROOF OF TESTS REQUIRED FOR THE PUBLIC ASSEMBLY OF HORSES, SO AS TO REQUIRE THAT HORSES MAINTAINED AT A PUBLIC STABLE OR OTHER PUBLIC FACILITY BE TESTED FOR EQUINE INFECTIOUS ANEMIA NOT LESS THAN ONCE EACH TWENTY‑FOUR MONTHS AND TO INCREASE THE PENALTIES FOR VIOLATIONS; TO AMEND SECTION 47‑13‑1390, AS AMENDED, RELATING TO THE POSSESSION OF A FALSE CERTIFICATE SHOWING A NEGATIVE COGGINS TEST FOR ANY HORSE, SO AS TO INCREASE THE PENALTIES FOR VIOLATIONS; AND TO AMEND SECTION 47‑13‑1400, AS AMENDED, RELATING TO ADDITIONAL PENALTIES FOR VIOLATIONS OF ARTICLE 13, CHAPTER 13, TITLE 47, SO AS TO INCREASE THE RANGE OF PENALTIES.

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

SECTION 1. Section 47‑13‑1350 of the 1976 Code, as last amended by Act 290 of 2000, is further amended to read:

“Section 47‑13‑1350. It is unlawful to enter the State with a horse unless the horse has been tested for equine infectious diseases, including equine strangles and equine infectious anemia and is accompanied by:

(1) a veterinary certificate of good health issued not more than thirty days before entry, stating that the horse is free of equine strangles and other infectious diseases; and

(2) an official Equine Infectious Anemia test chart showing that the horse reacted negatively to an official Equine Infectious Anemia test within ~~twelve months~~ thirty days before entry. The state veterinarian, with the advice of the commanding officer of the State Highway Patrol, shall promulgate regulations to provide for the enforcement of this section.”

SECTION 2. Section 47‑13‑1370 of the 1976 Code, as last amended by Act 33 of 1993, is further amended to read:

“Section 47‑13‑1370. (A) All horses must be accompanied by written proof of an approved negative test for equine infectious anemia when entering any public assembly of horses. These public assemblies include, but are not limited to, shows, fairs, organized trail rides, rodeos and other exhibitions, as well as organized sales. Animals moving directly to a slaughter plant or assembly point for slaughter which has been specifically approved by the state veterinarian are not subject to the negative test requirement. The owner, operator, or person in charge of these shows, fairs, organized trail rides, rodeos and other exhibitions, organized sales, and other public places where horses are assembled shall require that each animal be accompanied by an official certificate showing that it has been negative to an approved test for equine infectious anemia within the last twelve months.

(B) Horses which are permanently maintained at a public stable or other public facility must be tested for equine infectious anemia each ~~twelve~~ twenty‑four months.

(C) An owner, operator, or person in charge of an organized sale, organized trail ride, show, fair, rodeo, public stable, exhibition, or other public place where horses are assembled who violates the provisions of subsection (A) or (B) of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than thirty days, or both.

(D) The Coggins Test or other test for equine infectious anemia, whether administered within or without this State, is required to be administered only once each ~~twelve~~ twenty-four months to a horse or an animal regardless of the number of times the animal is shown, sold, exhibited, or housed in a public stable or place in this State during that period. The state veterinarian and the Livestock‑Poultry Health Service of Clemson University may require proof of annual test administrations as they consider necessary.”

SECTION 3. Section 47‑13‑1390 of the 1976 Code, as last amended by Act 290 of 2000, is further amended to read:

“Section 47‑13‑1390. It is unlawful for any person to have in his possession a false veterinary certificate of good health or false certificate showing a negative Coggins test for any horse. A person convicted of having a false or forged certificate as set forth above must be ~~punished in accordance with the provisions of Section 47‑4‑130~~ fined not more than one thousand dollars or imprisoned not more than thirty days, or both.”

SECTION 4. Section 47‑13‑1400 of the 1976 Code, as last amended by Act 290 of 2000, is further amended to read:

“Section 47‑13‑1400. A person violating the provisions of this article is guilty of a misdemeanor and, upon conviction, must be ~~punished in accordance with Section 47‑4‑130~~ fined not more than one thousand dollars or imprisoned not more than thirty days, or both.”

SECTION 5. This act takes effect upon approval by the Governor.

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