**A** **BILL**

TO AMEND SECTION 47‑3‑750 OF THE 1976 CODE, RELATING TO THE SEIZURE AND IMPOUNDMENT OF A DANGEROUS ANIMAL, TO PROVIDE THAT ANY DANGEROUS ANIMAL THAT ATTACKS A HUMAN BEING OR DOMESTIC ANIMAL MUST BE SEIZED AND IMPOUNDED WHILE ANY PROCEEDING PURSUANT TO THIS ARTICLE IS PENDING.

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

SECTION 1. Section 47‑3‑750 of the 1976 Code is amended to read:

“Section 47‑3‑750. (A) If a law enforcement agent, animal control officer, or animal control officer under contract with a county or municipal government to provide animal control services has probable cause to believe that a dangerous animal is being harbored or cared for in violation of Section 47‑3‑720 or 47‑3‑740 or 47‑3‑760(E), the agent or officer may petition the court having jurisdiction to order the seizure and impoundment of the dangerous animal while the trial is pending.

(B) If a law enforcement agent, animal control officer, or animal control officer under contract with a county or municipal government to provide animal control services has probable cause to believe that a dangerous animal is being harbored or housed in violation of Section 47‑3‑730, the agent or officer may seize and impound the dangerous animal while the trial is pending.

(C) If a law enforcement agent, animal control officer, or animal control officer under contract with a county or municipal government to provide animal control services has probable cause to believe that a dangerous animal has made an unprovoked attack on a human being or domestic animal and caused serious bodily injury, the agent or officer must seize and impound the dangerous animal. While any trial for a violation of this article or any civil action related to the attack is pending, the owner of the seized animal may petition the appropriate summary court for the release of the animal. The petition may not be filed until at least ten days following the seizure of the animal and no criminal or civil action has been initiated. The petition and notice of any hearing on the petition must be served on the county or municipality that seized the animal and the victim or the victim’s representative. If the county or municipality responsible for the seizure determines that the seized animal was improperly identified or seized, the animal must immediately be released to the owner.”

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

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