COMMITTEE REPORT

February 7, 2013

**S. 223**

Introduced by Senator Campsen

S. Printed 2/7/13--S.

Read the first time January 15, 2013.

**THE COMMITTEE ON FISH, GAME AND FORESTRY**

To whom was referred a Bill (S. 223) to amend the Code of Laws of South Carolina, 1976, by adding Section 50‑11‑108 to provide that a person may use a firearm to kill or attempt, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Article 1, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50-11-108. (A) It is lawful for a person to kill or attempt to kill an animal when such act would otherwise be a violation of Title 50 if the person reasonably concludes it is necessary for the purpose of:

(1) self‑defense;

(2) defense of another person; or

(3) defense of domestic animals.

(B) Any person who kills or attempts to kill a big game animal or alligator pursuant to subsection (A) must immediately report the incident to the Department of Natural Resources. No big game animal or alligator taken as provided for in this section may be retained by the person or persons taking the big game animal or alligator. The big game animal or alligator carcass must be surrendered to the Department of Natural Resources. Failure to report the incident or surrender the carcass is a misdemeanor and, upon conviction, may result in a fine of up to one thousand dollars.

(C) Notwithstanding this section, all other laws protecting and regulating taking of big game and alligators shall apply.”

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Renumber sections to conform.

Amend title to conform.

GEORGE E. CAMPSEN III for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑108 TO PROVIDE THAT A PERSON MAY USE A FIREARM TO KILL OR ATTEMPT TO KILL ANY ANIMAL DURING ANY SEASON IN SELF‑DEFENSE, DEFENSE OF ANOTHER, OR DEFENSE OF DOMESTIC ANIMALS, TO PROVIDE THAT A PERSON WHO USES DEADLY FORCE AGAINST A BIG GAME ANIMAL OR ALLIGATOR MUST REPORT THE INCIDENT TO THE DEPARTMENT OF NATURAL RESOURCES, TO PROVIDE THAT CERTAIN ANIMAL CARCASSES TAKEN PURSUANT TO THIS SECTION MAY NOT BE RETAINED, AND TO PROVIDE A PENALTY FOR FAILURE TO REPORT THE INCIDENT OR SURRENDER THE CARCASS TO THE DEPARTMENT OF NATURAL RESOURCES.

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

SECTION 1. Article 1, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑108. (A) A person may use a firearm if he is not prohibited by law from possessing a firearm, or may use any other deadly weapon at any time and during any season to kill or attempt to kill any animal if the person reasonably concludes it is necessary for the purpose of:

(1) self‑defense;

(2) defense of another person; or

(3) defense of domestic animals.

(B) Any person who uses deadly force against a big game animal or alligator in defense of persons or domestic animals as provided for in this section immediately must report the incident to the Department of Natural Resources. No big game animal or alligator taken as provided for in this section may be retained by the person or persons taking the big game animal or alligator. The big game animal or alligator carcass must be surrendered to the Department of Natural Resources. Failure to report the incident or surrender the carcass is a misdemeanor and, upon conviction, may be fined up to two thousand dollars or imprisoned for up to one year, or both. Notwithstanding this section, all other laws protecting and regulating taking of big game and alligators shall apply.”

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

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