AMENDED

February 21, 2013

**S. 223**

Introduced by Senator Campsen

S. Printed 2/21/13--S.

Read the first time January 15, 2013.

**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.

Amend Title To Conform

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) 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 satisfies the requirements of subsection (B):

(B) A person is entitled to the defense established by subsection (A) only when:

(1) the person raising the defense acts for the purpose of self defense, defense of another person, or defense of a domestic animal; and

(2) either:

(i) the person raising the defense, the other person, or the domestic animal actually was in imminent danger of sustaining serious bodily injury or losing his, her, or its life; or

(ii) the person raising the defense reasonably believed he, the other person, or the domestic animal was in imminent danger of sustaining serious bodily injury or losing his, her, or its life.

(C) 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.

(D) A person is not entitled to the defense established by subsection (A) if he kills or attempts to kill a deer.”

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

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