**A** **BILL**

TO AMEND SECTION 16‑11‑510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MALICIOUS INJURY OF AN ANIMAL, SO AS TO PROVIDE AN EXCEPTION; AND TO AMEND ARTICLE 3 OF CHAPTER 3, TITLE 47, RELATING TO “SHEEP‑KILLING DOGS”, SO AS TO APPLY THE PROVISIONS OF THAT ARTICLE TO “LARGE LIVESTOCK‑KILLING DOGS” AND TO DEFINE THE TERM “LARGE LIVESTOCK”.

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

SECTION 1. Section 16‑11‑510 of the 1976 Code is amended to read:

“Section 16‑11‑510. (A) It is unlawful for a person to wilfully and maliciously cut, shoot, maim, wound, or otherwise injure or destroy any horse, mule, cattle, hog, sheep, goat, or any other kind, class, article, or description of personal property, or the goods and chattels of another.

(B) A person who violates the provisions of this section is guilty of a:

(1) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both, if the injury to the property or the property loss is worth ten thousand dollars or more;

(2) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both, if the injury to the property or the property loss is worth more than two thousand dollars but less than ten thousand dollars;

(3) misdemeanor triable in magistrates court or municipal court, notwithstanding the provisions of Sections 22‑3‑540, 22‑3‑545, 22‑3‑550, and 14‑25‑65, if the injury to the property or the property loss is worth two thousand dollars or less. Upon conviction, the person must be fined not more than one thousand dollars, or imprisoned, not more than thirty days, or both.

(C)(1) A person lawfully is upon the premises of the owner within the meaning of this article when he is on the premises in the performance of a duty imposed upon him by the laws of this State, by the laws or postal regulations of the United States, when he is on the premises upon invitation, expressed or implied, of the owner, or when he is in the performance of a duty relative to public safety, which includes policemen, firemen, or other authorized personnel. A person may ingress to and egress from the premises for a purpose connected with the performance of the public safety duty.

(2) A person who lawfully is on the owner’s premises and who is attacked by a dangerous animal or witnesses the attack may use reasonable force to repel the attack. A person is not liable in damages or otherwise for action to repel or action taken to restrain or control an animal from an unprovoked attack.”

SECTION 2. Article 3, Chapter 3, Title 47 of the 1976 Code is amended to read:

“Article 3

Sheep‑Killing Dogs

Section 47‑3‑210. (A) No persons shall buy, sell, receive, give away or otherwise own, control, have or keep in possession any dog commonly called ‘sheep‑killing’ or ‘large livestock‑killing’ and known to be such. The violation, knowingly, in any one or all respects of the foregoing prohibition shall be a misdemeanor punishable, upon conviction, by a fine not exceeding one hundred dollars or imprisonment for not exceeding thirty days.

(B) For the purposes of this article, the term ‘large livestock’ means all classes and breeds of animals weighing more than thirty pounds, domesticated or feral, raised for use, sale, or display.

Section 47‑3‑220. Any person who may find any dog in the act of worrying or destroying any sheep or large livestock in this State may kill such dog and such person shall not for so doing be held to answer to any action, civil, or criminal.

Section 47‑3‑230. The owner of or person having in his care or keeping any dog shall be liable to pay to the person damaged double the value of any sheep or large livestock that may be killed or injured by such dog, to be recovered by action at the suit of the person damaged in any court having competent jurisdiction. In all such actions the recovery of ten dollars or more shall carry costs.”

SECTION 3. This act takes effect upon approval by the Governor.

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