~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 6, 2020

**H. 5015**

Introduced by Rep. Hixon

S. Printed 2/6/20--H.

Read the first time January 23, 2020.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 5015) to amend the Code of Laws of South Carolina, 1976, by adding Section 47‑3‑425 so as to authorize the Department of Natural Resources to obtain and utilize, 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 SECTIONS 1 and 2 and inserting:

/ SECTION 1. Section 47-3-420(A)(1)(i) of the 1976 Code is amended to read:

“(i) an animal shelter, governmental animal control agency, or the Department of Natural Resources (department) may obtain sodium pentobarbital or a derivative, a Schedule IV drug, or tranquilizing agent by direct licensing. The animal shelter, governmental animal control agency, or department must apply for a Controlled Substance Registration Certificate from the federal Drug Enforcement Administration (DEA) and a State Controlled Substances Registration from the Department of Health and Environmental Control (DHEC). If an animal shelter, governmental animal control agency, or the department is issued a certificate by the DEA and a registration by DHEC pursuant to this subitem, the animal shelter, governmental animal control agency director or his designee, and the department's applicant are responsible for maintaining their respective records regarding the inventory, storage, and administration of controlled substances. An animal shelter, governmental animal control agency and its certified euthanasia technician, and the department and its certified employees are subject to inspection and audit by DHEC and the DEA regarding the recordkeeping, inventory, storage, and administration of controlled substances used under authority of this article; /

Renumber sections to conform.

Amend title to conform.

DAVID R. HIOTT for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47‑3‑425 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO OBTAIN AND UTILIZE SCHEDULE III NONNARCOTIC AND SCHEDULE IV CONTROLLED SUBSTANCES FOR THE CAPTURE AND IMMOBILIZATION OF WILDLIFE; AND TO AMEND SECTION 47‑3‑420, RELATING TO METHODS OF EUTHANASIA, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT.

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

SECTION 1. Article 7, Chapter 3, Title 47 of the 1976 Code is amended by adding:

“Section 47‑3‑425. The Department of Natural Resources may obtain and utilize Schedule III nonnarcotic and Schedule IV controlled substances for the capture and immobilization of wildlife. The department must apply for Controlled Substance Registration Certificates from the federal Drug Enforcement Agency (DEA) and the Department of Health and Environmental Control (DHEC). The administration of tranquilizing agents must be done only by department employees trained and certified for this purpose. Employees of the department issued Controlled Substance Registration Certificates are responsible for maintaining records regarding the inventory, storage, and administration of controlled substances and are subject to inspection and audit by the DEA and DHEC.”

SECTION 2. Section 47‑3‑420(A)(1)(g) and (i) of the 1976 Code is amended to read:

“(g) administration of injections must be done only by a licensed veterinarian or by a euthanasia technician ~~or Department of Natural Resources employee,~~ trained and certified for this purpose in a euthanasia training class taught by a licensed South Carolina veterinarian or an individual or entity approved by the State Board of Veterinary Examiners, which must include training in tranquilizing animals. A person certified pursuant to this subitem must continue to maintain his proficiency by successfully completing a training course taught by a licensed South Carolina veterinarian or an individual or entity approved by the State Board of Veterinary Examiners every five years;

(i) an animal shelter~~,~~ or governmental animal control agency~~, or the Department of Natural Resources (department)~~ may obtain sodium pentobarbital or a derivative or tranquilizing agent by direct licensing. The animal shelter~~,~~ or governmental animal control agency~~, or department~~ must apply for a Controlled Substance Registration Certificate from the federal Drug Enforcement Administration (DEA) and a State Controlled Substances Registration from the Department of Health and Environmental Control (DHEC). If an animal shelter~~,~~ or governmental animal control agency~~, or the department~~ is issued a certificate by the DEA and a registration by DHEC pursuant to this subitem, the animal shelter~~,~~ or governmental animal control agency director or his designee~~, and the department’s applicant are~~ is responsible for maintaining their respective records regarding the inventory, storage, and administration of controlled substances. An animal shelter~~,~~ and a governmental animal control agency and its certified euthanasia technician~~, and the department and its certified employees~~ are subject to inspection and audit by DHEC and the DEA regarding the recordkeeping, inventory, storage, and administration of controlled substances used under authority of this article;”

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

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