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COMMITTEE REPORT

March 17, 2022

**H. 4904**

Introduced by Rep. Hixon

S. Printed 3/17/22--S.

Read the first time February 23, 2022.

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

To whom was referred a Bill (H. 4904) to amend the Code of Laws of South Carolina, 1976, by adding Section 50‑11‑90 so as to allow the Department of Natural Resources to obtain and use, etc., respectfully

**REPORT:**

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

GEORGE E. CAMPSEN III for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑90 SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO OBTAIN AND USE SCHEDULE III NONNARCOTICS AND SCHEDULE IV CONTROLLED SUBSTANCES FOR WILDLIFE MANAGEMENT; AND TO AMEND SECTION 47‑3‑420, RELATING TO METHODS OF ANIMAL EUTHANASIA, SO AS TO REMOVE REFERENCES 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 50‑11‑90. The department may obtain and utilize Schedule III nonnarcotics and Schedule IV controlled substances for the capture and immobilization of wildlife. The department must apply for a Controlled Substance Registration Certificate from the federal Drug Enforcement and Administration (DEA) and a State Controlled Substances Registration from 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. Department applicants issued a certificate by the DEA and a registration by DHEC are responsible for maintaining their respective records regarding the inventory, storage, and administration of controlled substances and are subject to inspection and audit by DHEC and the DEA.”

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

“(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 responsible for maintaining their respective records regarding the inventory, storage, and administration of controlled substances. An animal shelter~~,~~ or 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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