**South Carolina General Assembly**

124th Session, 2021-2022

**A136, R146, H4906**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Hixon

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Introduced in the House on February 2, 2022

Introduced in the Senate on February 24, 2022

Passed by the General Assembly on March 31, 2022

Governor's Action: April 11, 2022, Signed

Summary: Wildlife Disease Control

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/2/2022 House Introduced and read first time ([House Journal‑page 21](file:///h:\hj\20220202.docx))

2/2/2022 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 21](file:///h:\hj\20220202.docx))

2/17/2022 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 57](file:///h:\hj\20220217.docx))

2/18/2022 Scrivener's error corrected

2/23/2022 House Read second time ([House Journal‑page 43](file:///h:\hj\20220223.docx))

2/23/2022 House Roll call Yeas‑103 Nays‑0 ([House Journal‑page 43](file:///h:\hj\20220223.docx))

2/24/2022 House Read third time and sent to Senate ([House Journal‑page 30](file:///h:\hj\20220224.docx))

2/24/2022 Senate Introduced and read first time ([Senate Journal‑page 6](file:///h:\sj\20220224.docx))

2/24/2022 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 6](file:///h:\sj\20220224.docx))

3/17/2022 Senate Committee report: Favorable **Fish, Game and Forestry** ([Senate Journal‑page 9](file:///h:\sj\20220317.docx))

3/23/2022 Senate Read second time ([Senate Journal‑page 29](file:///h:\sj\20220323.docx))

3/23/2022 Senate Roll call Ayes‑45 Nays‑0 ([Senate Journal‑page 29](file:///h:\sj\20220323.docx))

3/31/2022 Senate Read third time and enrolled ([Senate Journal‑page 14](file:///h:\sj\20220331.docx))

4/7/2022 Ratified R 146

4/11/2022 Signed By Governor

4/15/2022 Effective date 04/11/22

4/15/2022 Act No.  136

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**VERSIONS OF THIS BILL**

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[2/17/2022](file:///p:\pprever\2021-22\4906_20220217.docx)

[2/18/2022](file:///p:\pprever\2021-22\4906_20220218.docx)

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(A136, R146, H4906)

**AN ACT TO AMEND SECTION 50‑11‑105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILDLIFE DISEASE CONTROL, SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO TAKE ACTION REGARDING WILDLIFE DISEASE CONTROL.**

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

**Wildlife disease control**

SECTION 1. Section 50‑11‑105 of the 1976 Code is amended to read:

“Section 50‑11‑105. (A) The department, after consulting with the Director of the State Livestock‑Poultry Health Division, Clemson University and after a reasonable attempt at landowner notification, may carry out operations including quarantines, destruction of wildlife, or other measures to locate, detect, control, eradicate, or retard the spread of diseases of wildlife independently or in cooperation with counties, special purpose districts, municipalities, property owner’s associations or similar organizations, individuals, federal agencies, or agencies of other states, by regulation, compliance agreement, judicial action, or other appropriate means. The State shall not be required to indemnify the property owner for any wildlife taken as a result of this action. For the purposes of this section, landowner notification can occur by means of a telephone call, in person, or in writing.

(B) The department, in accordance with the Administrative Procedures Act and in order to ensure the continued health and safety of wildlife, may promulgate and enforce reasonable regulations to prevent the introduction or distribution of a disease. The department may prohibit the importation, intrastate movement, possession or use, of any wildlife, carcasses, or associated parts or products of any nature.

(C) The department, upon declaration of a wildlife disease emergency by the Director of the Department of Natural Resources, after consulting with the Director of the State Livestock‑Poultry Health Division, Clemson University, may promulgate regulations to:

(1) delineate disease management zones at any geographic scale;

(2) declare temporary emergency open seasons, methods of take, increased bag limits, mandatory reporting or check‑in of harvested game and biological samples, or restrictions on baiting and feeding of wildlife for no more than one year at any given time in any area of the State provided that appropriate public notice is given describing the declaration and delineating the affected area; and

(3) permit landowners or their designees to take protected wildlife as specified by the department.

(D) Department personnel and their designees are authorized to euthanize sick or injured wildlife.

(E) Unless otherwise specified, a person violating any of the provisions of this section or any regulation established pursuant to this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than thirty days.”

**Time effective**

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

Ratified the 7th day of April, 2022.

Approved the 11th day of April, 2022.

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