**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3723**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Duncan

Document Path: l:\council\bills\gjk\20209sd09.docx

Introduced in the House on March 24, 2009

Currently residing in the House Committee on **Agriculture, Natural Resources and Environmental Affairs**

Summary: Hunting

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/24/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\03-24-09.docx)‑14

3/24/2009 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** [HJ](file:///h:\HJ%20Archive\2009\03-24-09.docx)‑15

**VERSIONS OF THIS BILL**

[3/24/2009](file:///p:\pprever\2009-10\3723_20090324.docx)

**A** **BILL**

TO AMEND SECTION 50‑9‑510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES AUTHORIZED FOR SALE, SO AS TO REQUIRE BOTH RESIDENTS AND NONRESIDENTS TO OBTAIN A DOG‑DEER PERMIT IN ADDITION TO ALL OTHER REQUIRED LICENSES AND PERMITS FOR THE PRIVILEGE OF HUNTING DEER WITH A DOG, AND TO PROVIDE FOR THE FEES APPLICABLE TO RESIDENTS AND NONRESIDENTS; TO AMEND SECTION 50‑9‑520, AS AMENDED, RELATING TO LIFETIME COMBINATION LICENSES, SO AS TO PERMIT A RESIDENT HOLDER OF A LIFETIME LICENSE TO ADD THE PRIVILEGE OF HUNTING DEER WITH A DOG FOR NO ADDITIONAL COST, AND TO PROVIDE FOR THE USE OF THE REVENUE GENERATED FROM THE SALE OF DOG‑DEER PERMITS; AND BY ADDING SECTION 50‑11‑320 SO AS TO PROVIDE FOR THE MANNER IN WHICH HUNTING DEER WITH A DOG SHALL BE CONDUCTED INCLUDING THE RESPONSIBILITY FOR DOGS USED IN THE HUNT AND TO PROVIDE PENALTIES FOR VIOLATION.

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

SECTION 1. Section 50‑9‑510 of the 1976 Code, as last amended by Act 353 of 2008, is further amended by adding new items at the end to read:

“(19) For the privilege of hunting deer with a dog, a resident must purchase in addition to the other required licenses and permits, a dog‑deer permit for ten dollars of which one dollar may be retained by the issuing agent.

(20) For the privilege of hunting deer with a dog a nonresident must purchase in addition to the other required licenses and permits, a dog‑deer permit for twenty dollars of which one dollar may be retained by the issuing agent.”

SECTION 2. Section 50‑9‑520 of the 1976 Code, as last amended by Act 268 of 2008, is further amended by adding new subsections to read:

“(D) A resident holder of a lifetime license may add the privilege of hunting deer with a dog to a lifetime license which includes state hunting and big game privileges upon application to the department and there is no cost for the addition.

(E) Revenue generated from the sale of each dog‑deer permit must be used as follows: eighty percent for enforcement activities and the remaining twenty percent for administering the licensing program.”

SECTION 3. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑320. (A) For the purposes of this section, ‘hunting deer with a dog’ means:

(1) releasing or otherwise causing a dog to pursue or attempt to pursue deer;

(2) taking or attempting to take deer with the aid of a dog; or

(3) participating in the pursuit of deer with a dog.

A person is hunting deer with a dog until the person responsible for the dog or that person’s agent regains physical control of the dog.

A person is not hunting deer with a dog when using a single dog to recover a dead or wounded deer on private property with the permission of the landowner if the person maintains sight and voice contact with the dog.

(B) It is unlawful for the person responsible for a dog used for hunting deer to allow the dog to enter onto property on which the dog is not wanted.

(C) The person responsible for a dog being used for hunting deer is required to place around the dog’s neck a collar identifying the person responsible for the dog, that person’s telephone number, and that person’s department identification number. Theperson responsible for the dog must be present and participating in the hunt until he regains physical possession of the dog.

(D) A person violating the provision of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty‑five dollars nor more than two hundred dollars or imprisoned for not more than thirty days, or both. Any person convicted three times for violations of this section arising out of the same deer season must have their dog‑deer hunting permit suspended for one year.

(E) A person who gains possession of a dog bearing identification as provided in this section must attempt to notify the person identified on the dog’s collar within twelve hours of coming into possession of the dog. If he is unable to contact the person identified on the dog’s collar, the person in possession of the dog must contact the appropriate animal control office or law enforcement agency. The person in possession of the dog may release the dog to the person identified on the dog’s collar or that person’s agent, release the dog where it was found, or release the dog to animal control. The department is not responsible for handling, transporting, or caring for the dog.”

SECTION 4. This act takes effect upon approval by the Governor.

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