**South Carolina General Assembly**

124th Session, 2021-2022

**A71, R87, H3539**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Davis and Martin

Document Path: l:\council\bills\agm\19867cz21.docx

Introduced in the House on January 12, 2021

Introduced in the Senate on February 24, 2021

Last Amended on May 12, 2021

Currently residing in the Senate

Governor's Action: May 17, 2021, Signed

Summary: Pigs

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2020 House Prefiled

12/16/2020 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs**

1/12/2021 House Introduced and read first time ([House Journal‑page 231](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 231](file:///h:\hj\20210112.docx))

2/17/2021 House Committee report: Favorable with amendment **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 3](file:///h:\hj\20210217.docx))

2/23/2021 House Member(s) request name added as sponsor: Martin

2/23/2021 House Amended ([House Journal‑page 21](file:///h:\hj\20210223.docx))

2/23/2021 House Read second time ([House Journal‑page 21](file:///h:\hj\20210223.docx))

2/23/2021 House Roll call Yeas‑98 Nays‑2 ([House Journal‑page 23](file:///h:\hj\20210223.docx))

2/24/2021 House Read third time and sent to Senate ([House Journal‑page 15](file:///h:\hj\20210224.docx))

2/24/2021 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\sj\20210224.docx))

2/24/2021 Senate Referred to Committee on **Agriculture and Natural Resources** ([Senate Journal‑page 7](file:///h:\sj\20210224.docx))

3/30/2021 Senate Committee report: Favorable **Agriculture and Natural Resources** ([Senate Journal‑page 5](file:///h:\sj\20210330.docx))

4/22/2021 Senate Amended ([Senate Journal‑page 34](file:///h:\sj\20210422.docx))

4/22/2021 Senate Read second time ([Senate Journal‑page 34](file:///h:\sj\20210422.docx))

4/22/2021 Senate Roll call Ayes‑45 Nays‑1 ([Senate Journal‑page 34](file:///h:\sj\20210422.docx))

4/29/2021 Senate Read third time and returned to House with amendments ([Senate Journal‑page 9](file:///h:\sj\20210429.docx))

5/4/2021 House Concurred in Senate amendment and enrolled ([House Journal‑page 72](file:///h:\hj\20210504.docx))

5/4/2021 House Roll call Yeas‑112 Nays‑0 ([House Journal‑page 72](file:///h:\hj\20210504.docx))

5/5/2021 House Reconsidered ([House Journal‑page 63](file:///h:\hj\20210505.docx))

5/6/2021 House Senate amendment amended

5/6/2021 House Returned to Senate with amendments ([House Journal‑page 22](file:///h:\hj\20210506.docx))

5/6/2021 House Roll call Yeas‑103 Nays‑2 ([House Journal‑page 27](file:///h:\hj\20210506.docx))

5/11/2021 Senate Non‑concurrence in House amendment ([Senate Journal‑page 32](file:///h:\sj\20210511.docx))

5/11/2021 Senate Roll call Ayes‑0 Nays‑44 ([Senate Journal‑page 32](file:///h:\sj\20210511.docx))

5/12/2021 House House recedes from amendment(s) ([House Journal‑page 60](file:///h:\hj\20210512.docx))

5/12/2021 Senate Ordered enrolled for ratification ([Senate Journal‑page 26](file:///h:\sj\20210512.docx))

5/13/2021 Ratified R 87

5/17/2021 Signed By Governor

6/1/2021 Effective date 05/17/21

6/1/2021 Act No.  71

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3539&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/16/2020](file:///p:\pprever\2021-22\3539_20201216.docx)

[2/17/2021](file:///p:\pprever\2021-22\3539_20210217.docx)

[2/23/2021](file:///p:\pprever\2021-22\3539_20210223.docx)

[3/30/2021](file:///p:\pprever\2021-22\3539_20210330.docx)

[4/22/2021](file:///p:\pprever\2021-22\3539_20210422.docx)

[5/6/2021](file:///p:\pprever\2021-22\3539_20210506.docx)

[5/12/2021](file:///p:\pprever\2021-22\3539_20210512.docx)

(A71, R87, H3539)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47‑4‑65 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50‑16‑25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50‑9‑655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.**

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

**Transport of live swine without identification prohibited**

SECTION 1. Chapter 4, Title 47 of the 1976 Code is amended by adding:

“Section 47‑4‑65. (A) It is unlawful to transport live swine on a public road or waterway within the State unless the swine have an official form of identification approved by the State Veterinarian and are transported in such a way that the swine is visible. Live swine transported without identification are presumed to have been taken from the wild and in violation of Section 50‑16‑25.

(B) It is unlawful for a person to misuse or alter a permit, tag, or other form of identification or attempt to obtain a permit, tag, or form of identification by fraud or misrepresentation. A person is deemed to have misused identification by using the identification that was not assigned to them or assigned to another owner, knowingly providing identification to a person other than the owner of the swine, or by engaging in any other activity to circumvent the provisions of this section.

(C) Absent an official form of identification, it is unlawful to transport live swine on a public road or waterway within this State unless accompanied by a document that may be presented in lieu of an official form of identification, including a dated bill of lading, invoice, receipt, bill of sale, or similar document showing the quantity of swine to be sold or transported and the name of the wholesale producer or dealer from whom the live swine were purchased or received.

(D) Live swine that do not leave the premises of the swine owner are not subject to the identification requirement.

(E) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, is subject to the penalty prescribed in Section 47‑4‑130. Each violation constitutes a separate offense.

(F) Notwithstanding Chapter 3, Title 22, magistrates court has jurisdiction over actions arising under this section.”

**Transport of swine taken from the wild prohibited**

SECTION 2. Section 50‑16‑25 of the 1976 Code is amended to read:

“Section 50‑16‑25. (A) It is unlawful to:

(1) import, possess, buy, sell, offer for sale, transfer, or transport a live member of the family Suidae (pig) taken from the wild; or

(2) release a live member of the family Suidae (pig) into the wild.

(B) Each pig imported, bought, sold, offered for sale, possessed, transferred, transported, or released in violation of this section constitutes a separate offense.

(C) The department may seize and destroy any pig obtained pursuant to this section.”

**Transport and release permits repealed**

SECTION 3. Section 50‑9‑655 of the 1976 Code is repealed.

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor and is repealed on July 1, 2024.

Ratified the 13th day of May, 2021.

Approved the 17th day of May, 2021.

\_\_\_\_\_\_\_\_\_\_