**A** **BILL**

TO AMEND CHAPTER 9, TITLE 47 OF THE 1976 CODE, RELATING TO ANIMALS, LIVESTOCK AND POULTRY, TO PROVIDE THAT NO SWINE SHALL BE TRANSPORTED ON A PUBLIC ROAD WITHIN THIS STATE UNLESS THE SWINE HAS AN OFFICIAL FORM OF IDENTIFICATION; TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES SHALL ADOPT RULES TO CHARGE A FEE FOR IDENTIFICATION; AND TO PROVIDE FOR CIVIL PENALTIES FOR FAILURE TO OBTAIN OR MISUSE OF REQUIRED IDENTIFICATION.

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

SECTION 1. Chapter 9, Title 47 of the 1976 Code is amended by adding:

“Section 47‑9‑51. (A) No live swine shall be transported on a public road within the State unless the swine has an official form of identification approved by the State Veterinarian for this purpose.

(B) Any live swine that is transported on a public road within this State without identification as required by this section is presumed to be a feral swine and is also subject to regulation by the

Department of Natural Resources under Section 50‑16‑25. Any person transporting a swine without identification is subject to a civil penalty pursuant to Section 47‑9‑52.

(C) Swine that do not leave the premises of the swine owner are not subject to the identification requirement under this section.

(D) The Department of Natural Resources shall adopt rules to charge any swine owner a fee for the identification required under this section. The fee may not exceed the actual cost to the State Veterinarian for the identification used by the State Veterinarian and any direct administrative costs associated with providing the identification to swine owners. The Department of Natural Resources shall adopt any other rules necessary to implement this section and Section 47‑9‑52.

Section 47‑9‑52. (A) Any person who fails to obtain identification as required pursuant to Section 47‑9‑51 shall be subject to a civil penalty of up to five thousand dollars for each violation. Each swine that has no identification is a separate violation.

(B) Any person who misuses the identification required pursuant to Section 47‑9‑51 shall be subject to a civil penalty of one thousand dollars for each occurrence. A person misuses identification by knowingly providing it to a person other than the owner of the swine or by engaging in other activity that is in violation of this section.”

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

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