**A** **BILL**

TO AMEND SECTION 47-11-85 OF THE 1976 CODE, RELATING TO THE IDENTIFICATION OF ANIMALS SOLD IN THE PUBLIC LIVESTOCK MARKET OR AN EQUINE SALES FACILITY, TO PROVIDE THAT, PRIOR TO THE SALE OF A HORSE, A PERSON OPERATING AN EQUINE SALES FACILITY MUST DETERMINE WHETHER THE HORSE BEARS IDENTIFICATION, COORDINATE WITH LOCAL RESCUES TO PROVIDE INFORMATION TO THE PUBLIC ONLINE, PROVIDE A COGGINS CERTIFICATE AND BILL OF SALE AND MAKE SUCH INFORMATION AVAILABLE UPON REQUEST, CHECK WITH NATIONAL AND LOCAL HORSE RESCUE ORGANIZATIONS TO DETERMINE WHETHER THE HORSE WAS REPORTED AS MISSING, LOST, OR STOLEN, AND MAINTAIN RECORDS FOR AT LEAST FIVE YEARS; AND TO PROVIDE FOR PENALTIES.

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

SECTION 1. Section 47-11-85 of the 1976 Code is amended to read:

“Section 47-11-85. (A) Animals sold in a public livestock market or equine sales facility must bear identification including, but not limited to, ear tags, ear notches accompanied by purebred papers, back tags, mane and tail tags, tattoos, brands, or other permanent means authorized by state or federal regulations.

(B) Prior to the sale of a horse, a person operating an equine sales facility must:

(1) determine whether the horse bears the identification required in subsection (A);

(2) coordinate with local rescues to provide information to the public online, including photographs of the horse and any relevant identification information pursuant to subsection (A);

(3) provide a Coggins certificate and bill of sale and make such information available upon request;

(4) check with national and local horse rescue organizations to determine whether the horse was reported as missing, lost, or stolen; and

(5) maintain records for at least five years, with records to include the date and time of any online posting and the date and time that the horse was sold.

(C) A person who violates the provisions of this section if:

(1) the value of the horse is ten thousand dollars or more is guilty of a felony and, upon conviction, must be imprisoned not more than ten years, fined not more than twenty‑five hundred dollars, or both;

(2) the value of the horse is more than two thousand dollars but less than ten thousand dollars is guilty of a felony and, upon conviction, must be imprisoned not more than five years, fined not more than five hundred dollars, or both; or

(3) the value of the horse is two thousand dollars or less is guilty of a misdemeanor triable in magistrates’ court or municipal court, notwithstanding the provisions of Sections 22‑3‑540, 22‑3‑545, 22‑3‑550, and 14‑25‑65. Upon conviction, the person must be fined not more than one thousand dollars, imprisoned not more than thirty days, or both.”

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

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