South Carolina’s ill treatment of animals law

SECTION 47-1-40. Ill-treatment of animals generally.

(A) Whoever knowingly or intentionally overloads, overdrives, overworks, ill-treats any animal, deprives any animal of necessary sustenance or shelter, inflicts unnecessary pain or suffering upon any animal, or by omission or commission knowingly or intentionally causes these things to be done, for every offense is guilty of a misdemeanor and, upon conviction, must be punished by imprisonment not exceeding sixty days or by a fine of not less than one hundred dollars nor more than five hundred dollars, or both, for a first offense; by imprisonment not exceeding ninety days or by a fine not exceeding eight hundred dollars, or both, for a second offense; or by imprisonment not exceeding two years or by a fine not exceeding two thousand dollars, or both, for a third or subsequent offense. Notwithstanding any other provision of law, a first offense under this subsection shall be tried in magistrate's or municipal court.

(B) Whoever tortures, torments, needlessly mutilates, cruelly kills, or inflicts excessive or repeated unnecessary pain or suffering upon any animal or by omission or commission causes the acts to be done for any of the offenses is guilty of a felony and, upon conviction, must be punished by imprisonment of not less than one hundred eighty days and not to exceed five years and by a fine of five thousand dollars.

(C) This section does not apply to fowl, accepted animal husbandry practices of farm operations and the training of animals, the practice of veterinary medicine, agricultural practices, forestry and silvacultural practices, wildlife management practices, or activity authorized by Title 50, including an activity authorized by the South Carolina Department of Natural Resources or an exercise designed for training dogs for hunting, if repeated contact with a dog or dogs and another animal does not occur during this training exercise.

HISTORY: 1962 Code Section 6-4; 1952 Code Section 6-4; 1942 Code Section 1594; 1932 Code Section 1594; Cr. C. '22 Section 559; Cr. C. '12 Section 910; Cr. C. '02 Section 625; G. S. 1703; R. S. 507; 1881 (17) 573; 1883 (18) 388; 1988 Act No. 401, Section 1, eff March 21, 1988; 1992 Act No. 430, Section 1, eff June 2, 1992; 1998 Act No. 367, Section 2, eff May 27, 1998; 2000 Act No. 294, Section 1, eff May 26, 2000; 2008 Act No. 259, Section 2, eff upon approval (became law without the Governor's signature on June 5, 2008).