

# SOUTH CAROLINA LAWS

## UAPPEAL

### **LARGE WILD CATS, NON-NATIVE BEARS, GREAT APES**

BANS import, possession, keeping, purchase, having custody or control of, breeding and sale of large wild cats, non-native bears and great apes.

- GRANDFATHERED: those who registered with animal control authority by 1/1/18 with inventory, photo or microchip, and site address and paid \$500 site fee + \$100/animal
  - Must: Submit contingency plan for escapes, comply with USDA basic housing standards, promptly notify animal control authority of changes, promptly notify animal control, local sheriff and police of escapes, maintain records of prior acquisition, protect the public
  
- EXEMPT:
  - incorporated nonprofit animal protection organizations holding one temporarily upon request
  - Federal/state wildlife enforcement officers
  - Animal control or law enforcement agencies or officers
  - Veterinary hospitals, clinics, veterinarians and employees
  - USDA Class R university, college, laboratory, research facility
  - USDA Class A, B or C (current and future)
  - USDA Class C circus temporarily in the state
  - Intermediate handler for USDA licensee transporting through the state

LIST: Large Wild Cats:

- Lion
- Tiger
- Leopard
- Jaguar
- Cougar
- Cheetah
- Snow Leopard
- Clouded Leopard

(SC Code of Laws 47-2-10 – Added 2017)

## **SALES OF NONDOMESTICATED CARNIVORES**

BANS selling carnivores not normally domesticated and hybrids as pets.

- EXEMPT:
  - USDA publicly owned zoos and dealers on effective date
    - BANS sales to pet owners
    - public displays must prevent public contact
  - Ferrets
    - sellers must display a special sign and give a copy to buyers
    - must vaccinate against rabies
  - Domesticated animal – one which has a USDA licensed rabies vaccine

(SC Code of Laws 47-5-20, 47-5-50)

## **RESTRICTED NONNATIVE WILDLIFE**

BANS possession, sale, offer for sale, transfer possession of, import, bringing, releasing, reproducing, allow to escape, or cause to be brought or imported of any Restricted Nonnative Wildlife.

- PERMIT issued for possession, import, release, reproduction, and transfer for scientific and other special purposes
- NOT EXEMPT: 50-16-60 wildlife for sale in the pet trade not requiring a permit
- GRANDFATHERED: Those on effective date that register within 120 days and obtain permit - allowed possession, purchase, sale, or transfer during those 120 days

### **REQUIREMENTS:**

- BANS all reproduction
- Microchipped
- Permits must be renewed every 3 years
- Must be kept indoors in escape proof enclosures or outdoors in locked enclosures with primary and secondary containment barriers
- Escapes must be reported within 24 hours
- Permits void upon death of the tegus
- Penalties found in 50-15-80

LIST: Black and white tegu and hybrids

(SC Code Regulations 123-152 – ADDED by Regulation 5027 - Effective 5/28/21)

## **WOLVES**

PERMIT required to sell, possess, ship and import wolves.

- EXEMPT: as provided by law

(South Carolina Code 50-11-1765)

## **CERVIDS**

BANS buying, sale, barter and possession for sale of all cervids.

(SC Code of Laws 50-11-1910)

## **NATIVE SPECIES**

Game birds: mourning dove, northern bob white, ruffed grouse, wild turkey, Wilson snipe, woodcock, the Anatidae (goose, brant, and duck), and Rallidae (marsh hen, coot, gallinule, and rail)

Unprotected birds: house sparrow, rock pigeon, European starling, and Eurasian collared dove

Nongame birds: all unlisted native birds

Game animals: beaver, black bear, bobcat, white-tailed deer, fox, mink, muskrat, opossum, otter, rabbit, raccoon, skunk, squirrel, and weasel

Freshwater game fish: Bream: bluegill, flier, green sunfish; pumpkinseed, redbreast, redear (shellcracker), spotted sunfish; warmouth; Black Bass: largemouth bass, smallmouth bass, spotted bass, redeye bass (coosae bass); striped bass or rockfish; white bass; hybrid striped bass-white bass; white crappie, black crappie; Trout: rainbow, brown and brook, chain pickerel (jackfish), redbfin pickerel, sauger, walleye, and yellow perch

Freshwater nongame fish: freshwater fish not game fish

Saltwater gamefish: Cobia *Rachycentron canadum*; spotted seatrout (winter trout) *Cynoscion nebulosus*; red drum (channel bass) *Sciaenops ocellatus*; tarpon *Megalops atlanticus*; and any species of billfish of the Family Istiophoridae

Migratory waterfowl: "Anatidae" including brants, ducks, geese, and swans

(SC Code of Laws 50-1-30)

## **PROTECTED NATIVE WILDLIFE**

BANS purchase, sale, trade and barter of protected wild mammals and birds.

- EXEMPT:
  - As allowed by law
  - Sale of rabbits and gray squirrels taken during season
  - Unprotected house sparrow, rock pigeon, European starling, and Eurasian collared dove

(SC Code of Laws 50-1-290)

## **WILD BIRDS**

BANS 1) catching, killing or possessing, 2) purchase and sale of caught, and 3) shipment, carrying and transport of wild resident and migratory birds.

- EXEMPT:
  - PERMIT for scientific or propagation purposes
  - Game birds

BANS sale, purchase and barter of willet or doves.

BANS purchase and barter for sale of wild quail.

BANS possession and sale of pheasant eggs.

(SC Code of Laws 50-11-820, 50-11-850, 50-11-1930 to 50-11-1950)

## **CARRIER PIGEONS**

BANS person other than owner from catching, killing, capturing or detaining a marked homing, racing or carrier pigeon.

BANS shooting, killing or maiming carrier pigeon.

(SC Code of Laws 50-11-851, 50-11-853)

## **NATIVE REPTILES AND AMPHIBIANS**

Written permission required to take native reptiles and amphibians from Department owned Wildlife Management Areas.

- EXCLUDES: bullfrog

BANS sale, purchase, trade, exchange, barter, export or shipment, transfer and/or re-homing of native reptiles and amphibians.

- EXEMPT:
  - Transfer to Department or designated recipient
  - Transfer ownership if authorized under other federal or state laws including Title 50
    - EXCLUDES: 50-16-60 wildlife for sale in the pet trade not requiring a permit – 50-15-15 Native reptiles and 123-151.3 and 151.4 have priority
  - AZA zoos or aquaria, Institutional Care and Use Committees research institutions and schools and educational displays open to the public (transfer and receive only)
    - Must provide number and species beforehand along with their donors
    - BANS commercial transactions
  - Venom or derivatives from a laboratory
  - Non-native phenotype (morph or genetic mutation) of native snakes
  - Native wild phenotype of captive-born eastern garter snake, mole king snake and eastern milksnake that are < 10"
  - Native wild phenotype of captive-born corn snake, rat snake and eastern king snake that are under 20"
  - Any native wild phenotype of captive-born pine snake under 24"
  - Yellow-bellied slider and common snapping turtle when from permitted aquaculture facility or private pond under permit
    - more than 5 requires permit
    - sale or purchase requires documentation of origin
  - American alligators, eggs, part and products under Title 50

- Bullfrogs
- Transfer to wildlife rehabilitators to rehabilitate and release if not through commercial transaction
  - Rehabilitators must provide proper care (appropriate bedding, cover, temperature regulation, and secure shelter; potable water; food; control of disease, parasites and pests), proof of veterinary care (be licensed vet or letter from vet), annual report of all herptiles transferred and disposition
- Native American Indian tribes recognized Federally or by the State of South Carolina's Commission for Minority Affairs to use dead reptiles and amphibians

PERMIT (Export Permit) required for export of legal ones. Issues temporary one for education, rehabilitation, and conservation when the animals will return to the state.

PERMIT for state endangered or threatened and in need of management species.

#### LIMITS:

- BANS endangered or threatened and in need of management except by permit
- Native turtles – 10 in aggregate
  - GRANDFATHER: Those with greater numbers on 9/28/20 that register the number per species of both wild-caught and captive – may not gain additional unless numbers will be <10
- Eastern box turtles - 2
  - GRANDFATHER: Those with greater numbers on 9/28/20 that register the number of turtles within 90 days and shell notch them with ID number given AND who then provide evidence of shell notches and signed affidavit to get permit and submit annual report on the status – no new ones until they meet limit
- Diamondback terrapins - 2
  - EXCLUDES: those accidentally caught while fishing if immediately returned
- Limit 5 total of the following turtles:
  - Florida cooter
  - river cooter
  - chicken
  - eastern painted
  - spiny softshell
  - Florida softshell

- eastern mud
- striped mud
- common musk
- yellow-bellied slider
- common snapping
  - EXCLUDES: yellow-bellied sliders and common snapping turtles under exceptions above

**REQUIREMENTS:**

- Scientific and conservation purposes under scientific collection permits may exceed the possession limits
- AZA zoos and Aquaria, Institutional Care and Use Committees research institutions, schools and educational displays open to the public, and wildlife rehabilitators may obtain permit to exceed the possession limits
- BANS possessing native species under 50-16-60 wildlife for sale in the pet trade not requiring a permit except as allowed in 123-151.3 and 151.4
- Penalties are found in 50-15-80 with each violation separate offense

(SC Code of Laws 50-15-15; SC Code Regulations 123-40-11.1, 123-151.3, 123-151.4 – ADDED by Regulation 5007 adopted under S605 Approved 5/12/21 – Effective 5/28/21)

**CAPTIVE ALLIGATOR PROPAGATION ACT**

PERMIT required for propagation of American alligators for commercial purposes.

- EXEMPT: exhibition in zoo, circus, or similar show at place other than captive alligator propagation facility
- ALLOWS: purchasing live alligators and eggs, selling to other propagators or outside the state, selling alligator products, and exhibition
- BANS wild-caught along with release

Regulates alligator hunting and harvest and depredation.

(SC Code of Laws 50-15, Art 3 - Added 2014; SC Code of Regs. 123-151)

**SPOTTED TURTLES**

BANS take, possession, transport, import, export, processing, sale, purchase, trade, gift, barter, shipment and receipt for shipment of spotted turtles (threatened).

- PERMIT (Spotted Turtle Permit) issued for scientific and/or conservation purposes

- **GRANDFATHERED:** permit holder on effective date that registered quantity within 90 days, shell notched with number provided, and have evidence and signed affidavit, and do NOT breed or acquire new ones - given 5-year permit and then annual one

BANS collecting wild-caught spotted turtles.

BANS reproduction unless authorized for scientific or conservation purposes (unauthorized offspring must be surrendered).

**REQUIREMENTS:**

- spotted turtles must be individually marked with shell notching except for scientific collection permit
- Renewals require reporting number of wild-caught and captive-bred spotted turtles and evidence of shell notch
- Deaths or disposals must be reported immediately
- Penalties are found in 50-15-80 with each violation separate offense

(SC Code Regulations 123-150.1, 123-151.1)

## **SEA TURTLES**

BANS take, possession, barter, trade, transport, export, process, sale or offer for sale or ship, and for any contract carrier knowingly to transport or receive sea turtles as ones not endangered are considered threatened.

- **EXEMPT:** research and education under permit

(SC Code Regulations 123-150.1)

## **OTHER TURTLES**

BANS possession, sale, barter, trade, shipment and export of listed turtles.



- EXEMPT:
  - Personal possession up to the listed limits (10 in aggregate)
  - More than listed limits for scientific, zoological, conservation, or other special purposes

LIST:

- Limit of 5:
  - Florida cooter
  - river cooter
  - chicken turtle
  - eastern painted turtle
  - spiny softshell turtle
  - Florida softshell turtle
  - eastern mud turtle
  - striped mud turtle
  - common musk turtle
  - yellow-bellied slider
  - common snapping turtle
  
- Limit of 2:
  - eastern box turtle
  - diamondback terrapin

(SC Code of Law 50-15-70)

### **SOUTHERN HOGNOSE SNAKES**

BANS take, possession, transport, import, export, process, sale, offer for sale, shipment, or receipt for shipment of Southern hognose snakes (threatened).

- PERMIT for research and education

(SC Code Regulations 123-150.1, 123-151.2)

## **NONNATIVE SPECIES**

BANS release of nonnative reptiles.

Allows department to prohibit or restrict nonnative wildlife.

- EXEMPT: release of foxes or coyotes under 50-11 and other species allowed by law

(SC Code of Laws 50-15-55)

## **ENDANGERED SPECIES**

BANS take, possession, transport, export, processing, sale or offer for sale, and shipment, and for any common or contract carrier to knowingly transport or receive for shipment any state endangered species, federal endangered native species on 7/2/74, and federal foreign endangered species.

- PERMIT issued for scientific, zoological, or educational purposes, propagation in captivity, or other special purposes
- Conservation limited to relocation, incidental take of Red-cockaded Woodpeckers for Habitat Conservation Plan for Safe Harbor, and mitigation purposes approved by USFWS

LIST: Updated 2009

- Birds
  - Bachman's Warbler
  - Bewick's Wren
  - Eskimo Curlew
  - Kirtland's Warbler
  - Piping Plover
  - Red-cockaded Woodpecker
  - Swallow-tailed Kite
  - Wood Stork
- Fish
  - Shortnose Sturgeon
  - Pinewoods Darter
- Mammals
  - Atlantic Right Whale
  - Blue Whale
  - Bowhead Whale
  - Eastern Cougar

- Finback Whale
- Florida Manatee
- Humpback Whale
- Indiana Bat
- Sei Whale
- Sperm Whale
- Rafinesque's Big-eared Bat
- Reptiles
  - Atlantic Leatherback Turtle
  - Atlantic Ridley Turtle
  - Gopher Tortoise
  - Atlantic Hawksbill Sea Turtle
- Amphibians
  - Flatwoods Salamander
  - Webster's Salamander
  - Carolina Gopher Frog
- Mollusks
  - Atlantic Pigtoe Mussel
  - Brother Spike Mussel

(SC Code of Laws 50-15-30 to 50-15-40; SC Code of Regs. 123-150)

## **NONGAME IN NEED OF MANAGEMENT**

BANS take, possession, transport, export, processing, sale, offering for sale and shipment of, and for common and contract carriers to knowingly ship or receive nongame wildlife in need of management.

- PERMIT (Scientific Collection Permit) required to collect all nongame fish, amphibians, reptiles, birds and mammals

(SC Code of Laws 50-15-20; SC Code of Regs. 123-150.3)

## **THREATENED SPECIES**

Threatened species are considered nongame in need of management and subject to protections above.

LIST:

- Birds
  - American Peregrine Falcon
  - Bald Eagle
  - Bewick's Wren
  - Common Ground Dove
  - Least Tern
  - Wilson's Plover
  
- Fish
  - Carolina Pygmy Sunfish
  - Broadtail Madtom (Noturus)
  
- Reptiles
  - American Alligator
  - Atlantic Loggerhead Sea Turtle
  - Atlantic Green Sea Turtle
  - Coal Skink
  - Bog Turtle
  - Spotted Turtle
  - Southern Hognose Snake
  
- Amphibians
  - Dwarf Siren
  - Pine Barrens Treefrog
  
- Mammals
  - Small-footed Bat

(SC Code of Regs. 123-150.2)

## **VULTURES, KITES, HAWKS, EAGLES, OSPREYS, FALCONS, AND OWLS**

BANS take, possession, transport, export, processing, sale, offer for sale, shipment and for contract carriers to knowingly ship or receive Falconiformes (vultures, kites, hawks, eagles, ospreys and falcons) and Strigiformes (owls) as they are classified as nongame in need of management.

- PERMIT issued for scientific, educational or falconry (Falconry Permit) purposes

(SC Code of Regs. 123-160 to 123-170)

## **MUSSELS**

PERMIT required to take freshwater mussels.

(SC Code of Laws 50-13-510)

## **MISCELLANEOUS PERMITS**

- Scientific Collection Permit
- Commercial Fur License (sell or take for commercial purposes and trap furbearers)
  - ALSO NEED: hunting license
- Alligator Propagation Facility Permit
- Bird Dog Trainer's License
- Scientific or Propagation License (collect protected wildlife)
- Shooting Preserve License
- Ship domestic game birds or animals (personal use)
- Sell trout at fairs (patrons take hatchery raised trout by fish and line at events)
  - state, county or local fair, circus or traveling amusement center or show

(SC Code of Laws 50-9-430 to 50-9-460, 50-9-675, 50-11-65, 50-11-600, 50-11-1180, 50-11-1200 to 50-11-1450, 50-11-1750; SC Code of Regs. 123-40-12, 123-108)

## **PROHIBITED FISH**

BANS possession, sale, import, bringing into state, and release of certain fish.

- PERMIT issued for:
  - Import by research and education
  - Release or stocking sterile white amur, grass carp or hybrids if certified

- importation, breeding, and possession of nonsterile white amur, grass carp, or hybrids per the Aquaculture Enabling Act

BANS stocking

LIST:

- candiru catfish
- freshwater electric eel
- white amur or grass carp
- walking catfish (Clarias, Heteropneustea, Gymnallabes, Channallabes, or Heterobranchus)
- piranha (Serrasalmus, Rooseveltiella, and Pygocentrus)
- stickleback
- Mexican banded tetra
- sea lamprey
- rudd
- snakehead (Channidae)
- rusty crayfish
- other nonindigenous species not established
  - PERMIT issued for certain purposes
  - EXCLUDES: recognized pet trade species

(SC Code of Laws 50-13-1630)

## **RELEASE AQUATIC SPECIES**

PERMIT required to release any aquatic species into waters of the state.

- EXEMPT: bait fish lost during fishing and release into same waters

BANS using nonindigenous fish as bait if not established in that water.

- EXEMPT: fathead minnows, golden shiner, and goldfish including black salties

(SC Code of Laws 50-13-1635)

## **NONINDIGENOUS ORGANISMS - MARINE**

BANS releasing listed nonindigenous organisms into salt waters of state or private waters connect to them along with sale as live bait.

(SC Code of Laws 50-5-45)

## **AQUACULTURE**

PERMIT (Aquaculture Permit) required for aquaculture for: commercial purposes, wholesale and retail of products, exotic species, possession or sale for stocking, hybrid striped bass, sport fishing for fee, annual sales over \$2500 harvested from private pond, import for brood stock, import for sale for stocking in private waters.

- ALSO NEED: Nonindigenous Species Permit (nonnative)
  
- PERMITS INSTEAD OF AQUACULTURE:
  - Wholesale Aquaculture License (processing or wholesale marketing of dead products)
  - Aquacultured Game Fish Retail License (sell dead aquacultured game fish or products)
  
- EXCLUDES:
  - Saltwater species
  - Common carriers carrying products through state
  - Aquaculture of native nongame fish – must register annually
  - Wholesale or retail indigenous nongame for bait
  - Wholesale or retail of organisms legal for pet or ornamental trade
  
- INCLUDES:
  - Out-of-state aquaculturists buying or selling in state except to other aquaculturists
  - Buying, selling and receiving out-of-state aquaculture products

(SC Code of Laws 50-18)

## **CANINES AND FELINES (Agriculture)**

Dogs and cats include all members of the canine and feline families for the dog and domestic pet laws, including running at large, dog registration, dangerous dogs, dog bites and more.

(SC Code of Laws 47-3-10)

## **INTERFERING WITH ANIMAL FACILITY (Agriculture)**

BANS acquiring or exercising control over animal facility, animals or property without permission, disrupting or damaging enterprise along with entering non public animal facility, remain concealed in one, and entering to commit one of these acts.

- Animal - animal used in food or fiber production, agriculture, research, testing, or education
- Animal facility - includes “vehicle, building, structure, or premises where an animal is kept, tested, handled, housed, exhibited, bred, or offered for sale and includes a research facility where research or testing on animals is conducted”

(SC Code of Laws 47-21)

## **IMPORT (Fish & Wildlife)**

BANS importation of coyotes and foxes.

- PERMIT for exhibition

BANS release of coyotes except if authorized.

(Effective 7/1/2024) BANS import, possession, buying, sale, offer for sale, transfer, and transport of Suidae (pigs) that are wild-caught.

(Effective 7/1/2024) BANS release of live Suidae.



(Expires 7/1/24) BANS possession, buying, sale, offer for sale, transfer, release or transport for release of Suidae (pigs).

- PERMIT issued to take, transport and release free-roaming pig may release with landowner permission on same land taken and is tagged

PERMIT required to import certain species.

- LIST:
  - furbearers (red and gray foxes, raccoons, opossums, muskrats, minks, skunks, otters, bobcats, weasels, and beavers), Cervidaes, nondomestic pigs, peccaries, Bovidaes, coyotes, bears, turkeys
  - nonnative marine or estuarine fish, crustacean, mollusk or other marine invertebrates
  - nonnative freshwater fish, crustacean, mollusk
- EXEMPT:
  - exhibition by state wildlife departments, municipal zoos or parks, public museums, public zoological parks, public nonprofit scientific or educational institutions, and transient circuses
  - These animals imported for sale as pets
    - tropical fishes
    - rats and mice
    - rabbits
    - canaries
    - gerbils
    - shell parakeets
    - love birds
    - cockatiels
    - parrots
    - toucans
    - mynah birds
    - finches
    - hamsters
    - guinea pigs
    - reptiles
    - amphibians

(SC Code of Laws 50-11-2640, 50-16)

## **IMPORT (Clemson University)**

BANS import of wild and domesticated hoofed animals exposed to Vesicular Stomatitis in last 30 days or from area within 10 miles where it was diagnosed.

Wild animals and semi-wild animals under domestication need health certificate to import.

PERMIT (Entry Permit) and health certificate required to import wild/feral/exotic animals capable of carrying reportable diseases in addition to identification and health requirements.

Cervids and camelids need negative brucellosis and TB test within 30 days prior.

(SC Code of Regs. 27-1013(D)(6), 27-1019)