

TENNESSEE LAWS

UAPPEAL

LIVE WILDLIFE

All live native and exotic live wildlife is divided into classes:

- Class I (inherently dangerous species)
 - LIMITED TO: zoos, circuses, commercial propagators
 - GRANDFATHERED: owners 1991 with personal possession permit and lineage up to 3 animal per species
 - need permit for offspring within 12 months or give to commercial propagator or other legal entity
- Class II (unlisted native species)
- Class III (NO PERMIT required)
- Class IV (restricted native species)
 - LIMITED TO: zoos and temporary exhibitors and authorized rehabilitators
- Class V (injurious to environment)
 - LIMITED TO: zoos

PERMITS:

- Personal Possession Permit (grandfathered Class I; Class II)
 - EXEMPT: bobwhite quail, non-native game birds released for hunting, waterfowl, native aquatic species in aquaria, native nonpoisonous reptiles and amphibians
 - Other permits apply

- Transfer of Ownership (transfer Class I or II under personal possession permit)

- Commercial Propagator Permit (Class I)

- Propagation Permit (Class II)
 - EXEMPT: fish dealer's license

- Importation Permit (import wildlife)
 - EXEMPT:

- Class III, zoos, temporary exhibitors, falconry raptors
 - Native fish, triploid grass carp certified by USFWS, species approved for fish farming, golden orfe
- Temporary Exhibitor Permit (Class I, II, IV - up to 30 days)
- Permanent Exhibitor Permit (Class I or II)
 - ALSO NEED: commercial propagators license for commercial trade
- Commercial Wildlife Preserve Permit (release pen-raised/farm-raised game for hunting)
 - EXEMPT FROM: hunting permit
 - BANS big game after 2009, Class I, white-tailed deer, wild turkey, black bear, endangered/threatened species
- Falconry Permit
- Zoos, Nature Centers, Rehabilitation Centers, and Educational Exhibits Certified As Nonprofit
 - BANS Class III wildlife and holding other wildlife permits except for zoos

LISTS: Unlisted hybrids are regulated as parent with least restrictive class

- Class I:
 - Primates
 - Gorillas
 - Orangutans
 - Chimpanzees
 - Gibbons
 - Siamangs
 - Mandrills
 - Drills
 - Baboons
 - Gelada baboons
 - Wolves
 - Bears
 - Felines:
 - Lions
 - Tigers
 - Leopards

- Jaguars
 - Cheetahs
 - Cougars
 - Elephants
 - Rhinoceroses
 - Hippopotamus
 - African buffalo
 - Reptiles:
 - crocodilians
 - poisonous snakes
 - Amphibians – poisonous
 - Hybrids of Class I parents
- Class II:
 - Native nonpoisonous reptiles and amphibians (TWRA)
 - Native furbearing animals (TWRA)
 - Unlisted native species
- Class III:
 - Exotic nonpoisonous reptiles and amphibians (revised by TWRA)
 - caimans and gavials (TWRA)
 - Rodents
 - Gerbils
 - Hamsters
 - guinea pigs
 - rats
 - mice
 - squirrels
 - chipmunks
 - Rabbits, hares, moles and shrews
 - Ferrets and chinchillas
 - Llamas, alpacas, guanacos, vicunas, camels, giraffes and bison
 - Avian not listed, excluding North American game birds
 - Waterfowl except North American migratory game birds (TWRA)
 - Ostriches, cassowaries (TWRA)
 - Semi-domestic hogs, sheep and goats
 - fish held in aquaria
 - Bovidae not listed
 - Marsupials
 - Common domestic farm animals
 - Equidae
 - Primates not otherwise listed
 - Bobcat/domestic cat hybrids
 - Hybrids between Class II species and a domestic animal or Class III species
 - Cervidae except white-tailed deer and wild elk

- INCLUDES: Elk for farming
 - EXCLUDES: all other elk - Class II wildlife
 - Elk in eastern grand division need documentary evidence of origin
- Exotic furbearing mammals for fur (revised by TWRA)

- Class IV:
 - Black bear
 - White-tailed deer
 - Wild turkey including eggs
 - Hybrids of Class IV species except bobcat
 - Animals morphologically indistinguishable from native Class IV wildlife

- Class V: (TWRA)
 - Nandaya or Black-Hooded parakeets
 - Quaker or Monk parakeets
 - African clawed frog
 - Zebra mussels
 - Black carp
 - Blueback herring
 - Ruffe
 - Bighead carp
 - Silver carp
 - Snakeheads (Channidae)
 - New Zealand mud snail
 - Round goby
 - Rudd
 - Swamp eels (Synbranchidae)
 - Marbled crayfish
 - Gold Asian clam
 - non-native freshwater aquatic life
 - EXCLUDES:
 - triploid grass carp certified by USFWS
 - species approved fish farming
 - fish, crustaceans and mollusks in aquaria not listed above

CLASS I REQUIREMENTS:

- 21 or older
- 2 years of experience or 70% or better score on a written exam
- Facility on premises where permit holder lives or full-time resident caretaker
- 1 acre for personal possession or 3 acres for commercial propagators – no multi-unit dwelling
- recapture plan and equipment, caging and care requirements for stationary and mobile facilities, liability for escapes and immediately notify of escapes

- notify of transfer within 5 days and new owner must have proper facilities beforehand proven by permit or letter showing inspection
- propagation limited to commercial propagators and only allows sales to legal entities
- microchip within 6 months or 7/1/2018 for ones owned before 7/1/15
- temporary exhibitors need itinerary at least 21 days before 1st event
- Permanent exhibitors offsite require 24 hours' notice
- Allows public contact with cats and bears less than 25 pounds and less than 3 months if not exhibited more than 1 hour per every 8 hours and ensure good animal health
 - off-site exhibits require 3 days' notice

OTHER REQUIREMENTS:

- Federal and state endangered/threatened must be legally imported or by an exempt person (see Nongame and Endangered Species)
- Class I and II need documentation of supplier and date of acquisition, inspections, permit per location for propagation or sales, approval to add new species to permit
- Notify of personal injuries inflicted requiring medical treatment within 48 hours and give report
- Need proof of legal ownership
- Import – must come from USDA dealer if from interstate commerce, shipper's copy of permit for carriers, notify regional office 24 hours before (release only), legally obtained from origin
- Wild-caught only legal if allowed by law
- Need approval to release: bobwhite quail, red and gray fox, raccoon, nonnative game birds, mallards, native fish not approved for fish farming for private ponds and lakes, cottontail rabbit
 - EXEMPT: fish farming approved fish for private ponds and lakes
- Zoos must be AZA or official zoo of political subdivision and have 100,000 visitors annually – BANS sale to general public
- Nature centers must educate the public about native ecosystems and may maintain Class II for educational purposes – wild-caught must be no charge
- Rehabilitation centers may rehabilitate Class II and IV wildlife except turkeys and meet several requirements
 - allows reference from someone knowledgeable in animal husbandry, black bears must be determined to be eligible for release and follow mobile transport rules

(Tennessee Code 70-4, Part 4; Tennessee Rules & Regs. 1660-01-02-.03, 1660-01-11, 1660-01-15 to 1660-01-18 – Amended Effective 1/20/22)

SKUNKS

BANS import, possession, sale, barter and exchange of live skunks.

- EXEMPT:
 - bona fide zoological parks and research institutions
 - wildlife rehabilitator for rehabilitation and release

(Tennessee Code 70-4-208)

AQUATIC LIFE EXCEPT GAME FISH

BANS take of fish, mussels, turtles or other aquatic life other than game fish.

- EXCEPTIONS:
 - Allows commercial sale with limitations
 - Take on designated waters for commercial use

(Tenn. Code Ann. § 70-4-119)

FISH FARMING, CATCH-OUTS, BAIT DEALERS

PERMIT (Fish Dealer's License) required for fish farms, catch-out operations and bait dealers.

FISH FARMS: rear and sell approved fish and aquatic life in private facilities

- Allows sales to stock private ponds and lakes
- Need invoice for all sales or disposals
- LIST: Approved Species
 - Skipjack Herring
 - Gizzard Shad
 - Threadfin Shad
 - Goldfish
 - Fathead Minnow
 - Golden Shiner
 - Sunfish (Lepomis) and hybrids
 - Rainbow Trout
 - Brown Trout
 - Atlantic Salmon
 - Channel Catfish
 - Blue Catfish
 - Channel x Blue Catfish
 - Flathead Catfish
 - Largemouth Bass
 - Florida bass
 - Largemouth x Florida Bass
 - Smallmouth Bass
 - Hybrid Striped Bass

- Black Crappie
- White Crappie
- Black x White Crappie
- Blue tilapia
- Wami tilapia
- Nile tilapia
- Mozambique tilapia
- Common Carp and Koi
- Triploid grass carp certified by USFWS
- Sunfish 4" or less (bait only)
- Other aquatic species with written approval

CATCH-OUT OPERATIONS: allow customers to catch aquatic species through sports fishing and purchase

- Fish must be captive bred or caught by commercial fishers
- Invoice for sales and disposals
- LIST: Approved Species
 - Rainbow Trout
 - Brown Trout
 - Atlantic Salmon
 - Channel Catfish
 - Blue Catfish
 - Flathead Catfish
 - Common Carp
 - Triploid Grass Carp certified by USFWS
 - other aquatic life with written approval

BAIT DEALERS: capturing and selling aquatic life for bait

- BANS amphibians and crayfish
- LIST: Approved Species
 - LIVE:
 - Skipjack Herring
 - Gizzard Shad
 - Threadfin Shad
 - Goldfish
 - Fathead Minnow
 - Golden Shiner
 - Sunfish (Lepomis) and hybrids
 - Rainbow Trout
 - Sunfish (Bream) 4" or smaller
 - DEAD:
 - Brook Silverside
 - Inland Silverside
 - Silver Carp
 - Bighead Carp
 - Black Carp

- Grass Carp
- Nonnative fish preserved when imported

(Tennessee Rules & Regs. 1660-01-26)

OTHER PERMITS

- Wildlife Capture, Transport and Release Permit (capture and release red and gray fox, raccoon, bobwhite quail)
 - EXEMPT: Nuisance Animal Damage Control Rule and landowners on own land

- Scientific permits (take, capture, transport wild birds/animals/fish for science)

- Stocking permits

- Peregrine Falcon Take Permit (take by General Class/Master Class) – Issued by random drawing

(Tennessee Code 70-2-212, 70-2-213)

PROTECTED WILDLIFE

BANS barter, sale, transfer and purchase of protected wildlife unless allowed.

(Tenn. Code Ann. § 70-4-201)

NONGAME AND ENDANGERED SPECIES

BANS take, possession, transport, export and shipment of state endangered and threatened species, federal native endangered species as of 1974 (unless any changes specifically approved) and federal foreign endangered species.

- EXEMPT:
 - scientific, zoological, or educational purposes, propagation in captivity or other purposes
 - wildlife legally imported except federal native endangered species

- INCLUDES: species determined to be very similar to listed species

BANS take, possession, transport, export, processing, sale or offer for sale and shipment and for common and contract carriers to knowingly receive or transport nongame wildlife.

- EXEMPT: as allowed by rule

LISTS:

Endangered:

- Crayfish:
 - Big South Fork Crayfish
 - Mountain Crayfish
 - Conasauga Blue Burrower
 - Valley Flame Crayfish
 - Chickamauga Crayfish
 - Obey Crayfish
 - Pristine Crayfish
 - Speckled Crayfish
 - Hatchie Burrowing Crayfish
 - Blood River Crayfish
 - Flint River Crayfish
 - Hardin Crayfish
 - Tennessee Cave Crayfish

- Fish:
 - Lake Sturgeon
 - Ashy Darter
 - Crown Darter
 - Barrens Darter

- Tuckasegee Darter
- Egg-mimic Darter
- Barrens Topminnow
- Coosa Chub
- Silverjaw minnow

- Amphibians:
 - Streamside Salamander
 - Hellbender

- Birds:
 - Bachman's Sparrow

Threatened:

- Crayfish:
 - Tennessee Bottlebrush Crayfish
 - Hiwassee Crayfish
 - Greensaddle Crayfish
 - Cocoa Crayfish
 - Brawleys Fork Crayfish
 - Nashville Crayfish
 - Crescent Crayfish

- Fish:
 - Western Sand Darter
 - Blue sucker
 - Coppercheek Darter
 - Holiday Darter
 - Coldwater Darter
 - Redlips Darter
 - Striated Darter
 - Trispot Darter
 - Saddled Madtom
 - Frecklebelly Madtom
 - Longhead Darter
 - Sickle Darter
 - Tennessee Logperch
 - Blotchside Logperch

- Amphibians:
 - Berry Cave Salamander
 - Tennessee Cave Salamander
 - Big Mouth Cave Salamander
 - Pale Salamander
 - Wehrle's Salamander

- Reptiles:
 - Alligator Snapping Turtle
 - Northern Pine Snake
 - Western Pygmy Rattlesnake

- Birds:
 - Henslow's Sparrow
 - Golden-winged Warbler

- Mammals:
 - Little Brown Bat
 - Tri-colored Bat

Need of Management:

- Crayfish:
 - Bottlebrush Crayfish
 - Short Mountain Crayfish
 - Prickly Cave Crayfish
 - Spiny Scale Crayfish
 - Florence Crayfish
 - Barren River Crayfish
 - Cumberland Plateau Cave Crayfish
 - Mammoth Cave Crayfish

- Fish:
 - Naked Sand Darter
 - Scaly Sand Darter
 - American Eel
 - Alligator Gar
 - Highfin Carpsucker
 - Tennessee Dace
 - Clinch Dace

- Smoky Dace
- Emerald Darter
- Teardrop Darter
- Splendid Darter
- Orange-fin Darter
- Chickasaw Darter
- Golden Darter
- Redband Darter
- Smallscale Darter
- Lollypop Darter
- Sooty Darter
- Firebelly Darter
- Arrow Darter
- Tippecanoe Darter
- Tuscumbia Darter
- Wounded Darter
- Golden Topminnow
- Flame Chub
- Plains Minnow
- Lined Chub
- Southern Brook Lamprey
- Silver Lamprey
- Sturgeon Chub
- Sicklefin Chub
- Rainbow Shiner
- Bigmouth Shiner
- Bedrock Shiner
- Piebald Madtom
- Tangerine Darter
- Slenderhead Darter
- Olive Darter
- Frecklebelly Darter
- Riffle Minnow
- Blackfin Sucker
- Southern Cavefish

- Amphibians:

- Cumberland Dusky Salamander
- Seepage Salamander
- Northern Pygmy Salamander
- Black Mountain Salamander
- Pygmy Salamander
- Junaluska Salamander
- Four-toed Salamander
- Crawfish Frog
- Weller's Salamander
- Yonahlossee Salamander

- Reptiles:
 - Kirtland's Snake
 - Mississippi Green Water Snake
 - Eastern Slender Glass Lizard
 - Coal Skink

- Birds:
 - Golden Eagle
 - Little Blue Heron
 - Wood Thrush
 - Least Bittern
 - Loggerhead Shrike
 - Swainson's Warbler
 - Black-crowned Night-heron
 - King Rail
 - Cerulean Warbler
 - Bewick's Wren

- Mammals:
 - Star-nosed Mole
 - Rafinesque's Big-eared Bat
 - Southern Rock Vole
 - Eastern Small-footed Bat
 - Southern Appalachian Woodrat
 - Eastern Woodrat
 - Allegheny Woodrat
 - Hairy-tailed Mole
 - Long-tailed Shrew
 - American Water Shrew
 - Southern Bog Lemming

(Tenn. Code Ann. § 70-8-101; Tennessee Rules & Regs. 1660-01-32)

COMMERCIAL USE OF WILDLIFE

BANS commercial use of endangered species.

Threatened species and in need of management species only allowed for commercial use if legally imported for sale and as allowed for scientific, zoological, or educational purposes, propagation in captivity or other

approved purposes.

LEGAL to sell:

- Live crustaceans for food
- Imported/propagated amphibians other than bait
- native and non-native species if allowed by law
- certain parts and products

(Tennessee Rules & Regs. 1660-01-17)

WILD-APPEARING SWINE

BANS transport or release of wild-appearing swine without Department of Agriculture documentation.

(Tenn. Code Ann. § 70-4-133)

CANINE/FELINE HYBRIDS

Canine and feline hybrids less than 25% wild are considered domestic dogs and cats under the rabies law which requires a rabies vaccine by 6 months. However, hybrids may be vaccinated if vaccine is legally available for the species.

(Tennessee Code 68-8-101 to 103)

EXHIBITION AND IMPORT (Agriculture)

- Domestic animal = includes cattle, bison, horses, mules, asses, sheep, goats, swine, dogs, cats, avian species, and Class III animals

PERMIT (Entry Permit) required to import pet swine and cervids.

Certificate of veterinary inspection required to import domestic animals and to exhibit camelids and captive cervids.

REQUIREMENTS:

- Pet swine – identification, quarantine 60 days after shipment if ordered AND negative Pseudorabies and Brucellosis 30 days prior OR from Validated Brucellosis-Free and Qualified Pseudorabies-Negative herd

- Wild-appearing swine –
 - Import - USDA metal tag or other ID, negative Pseudorabies and Brucellosis within 30 days prior OR from Validated Brucellosis-Free and Qualified Pseudorabies-Negative herd
 - In state transport – metal tag or ID AND 1 of these: negative Pseudorabies and Brucellosis within 90 days prior, from Validated Brucellosis-Free and Qualified Pseudorabies-Negative herd, or movement authorization by state vet for slaughter or market

- Cervids –
 - Import – 2 forms of ID including USDA official one and meet CWD and TB requirements
 - In state transport - CWD susceptible need authorization if from county within 10 miles of CWD detection and 2 IDs; non-susceptible need 2 IDs for markets

(Tenn. Code Ann. § 44-2; Tennessee Rules & Regs. 0080-02-01, 0080-02-03)

IMPORT BAN (TWRA)

[Import Ban 2015-2016](#)