Agency Name: Department of Natural Resources

Statutory Authority: 50-11-2100, 50‑11‑2200, and 50‑11‑2210

Document Number: 5071

Proposed in State Register Volume and Issue: 45/10

House Committee: Regulations and Administrative Procedures Committee

Senate Committee: Fish, Game and Forestry Committee

120 Day Review Expiration Date for Automatic Approval: 05/11/2022

Final in State Register Volume and Issue: 46/5

Status: Final

Subject: Field Trial Regulations

History: 5071

By Date Action Description Jt. Res. No. Expiration Date

- 10/22/2021 Proposed Reg Published in SR

- 01/11/2022 Received by Lt. Gov & Speaker 05/11/2022

H 01/11/2022 Referred to Committee

S 01/11/2022 Referred to Committee

S 02/17/2022 Resolution Introduced to Approve 1081

- 05/11/2022 Approved by: Expiration Date

- 05/27/2022 Effective Date unless otherwise

 provided for in the Regulation

Document No. 5071

**DEPARTMENT OF NATURAL RESOURCES**

CHAPTER 123

Statutory Authority: 1976 Code Sections 50‑11‑2100, 50‑11‑2200, and 50‑11‑2210

123‑96. Field Trial Regulations.

**Synopsis:**

The Department of Natural Resources proposes to amend Regulations 123‑96, Field Trial Regulations. The subject of the proposed action is to amend statutory reference to reflect appropriate authority, to update name of specific field trial area referenced in regulation and clarify licensing requirements for field trial participants to conform to existing statute.

The Notice of Drafting was published in Volume 45, Issue No. 8 of the South Carolina *State Register* on August 27, 2021.

**Instructions:**

123‑96. Field Trial Regulations.

 2. Strike text as indicated.

 6. Strike text as indicated and insert text as shown.

 7. Strike text as indicated.

**Text:**

123‑96. Field Trial Regulations.

(Statutory Authority: 1976 Code Section 50‑11‑2100)

 1. It shall be unlawful for any person to conduct or participate in any field trial unless a permit for such trial has been obtained from the Department.

 2. No wildlife may be taken during a field trial except during the open season for such species, except during permitted bird dog trials.

 3. Requests for field trial permits must be submitted to the Department at least fourteen (14) days prior to the proposed trial date. Requests shall include payment of five dollars ($5.00) per trial, the time and location of the proposed trial.

 4. Field trial permittees may be required to maintain records and file reports with the Department.

 5. Field trial permits may be issued by the Department for private lands outside of the regular season.

 6. There shall be no field trials conducted on Wildlife Management Areas outside of the regular season, except as permitted by the Department on the H. Cooper Black Memorial Field Trial and Recreation Area at Sand Hills State Forest.

 7. Any person participating in any field trial permitted by the Department shall not be required to procure a hunting license if the participant is not carrying a firearm and no game is taken.

 8. The Department may restrict or deny permits for field trials at its discretion.

**Fiscal Impact Statement:**

The amendment of Regulations 123‑96 will result in limited fiscal impact and update regulations to reflect and conform to appropriate statutory authority.

**Statement of Rationale:**

Rationale for the formulation of these regulations is based on over 70 years of experience by SCDNR in managing wildlife populations and establishing public hunting areas. Areas are evaluated on location, size, current wildlife presence, access and recreation use potential. Management objectives for specific properties are continually evaluated for needed changes. Periodic updates are required to ensure statutory references are up to date and correct as well as to reflect any name changes that may occur.