**A** **BILL**

TO AMEND TITLE 50 OF THE 1976 CODE, BY ADDING CHAPTER 27, TO PROVIDE FOR THE ISSUANCE OF WILDLIFE REHABILITATION LICENSES, TO PROVIDE AN APPLICATION PROCESS, AND TO PROVIDE PENALTIES; AND TO AMEND SECTION 50‑11‑2605, RELATING TO THE POSSESSION AND SALE OF COYOTES AND FOXES, TO PROVIDE THAT IT IS ILLEGAL TO BUY, SELL, TRANSFER, OR POSSESS A FOX.

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

SECTION 1. Title 50 of the 1976 Code is amended by adding:

“Chapter 27

Wildlife Rehabilitation

Section 50‑27‑10. (A) It is unlawful to possess wildlife for rehabilitation without a wildlife rehabilitation permit issued pursuant to this chapter. It is also unlawful to advertise wildlife rehabilitation services without a wildlife rehabilitation permit issued pursuant to this section.

(B) A person who violates this section is guilty of a misdemeanor and, upon conviction, may be fined one thousand dollars or imprisoned for thirty days, or both.

Section 50‑27‑20. (A) The department shall issue wildlife rehabilitation permits pursuant to the terms and conditions of this chapter. There is no charge for the permit. For the purposes of this chapter, a permit year is from January first of one year to December thirty‑first of the next year.

(B) A wildlife rehabilitation permit is valid for only one person. It is unlawful for a person to submit false information to the department when making application for a permit. Intentional misrepresentation of information submitted on the application results in the denial or revocation of the rehabilitation permit.

Section 50‑27‑30. The wildlife rehabilitation permit application must contain:

(1) the name and contact information of a veterinarian that has agreed to assist the applicant with wildlife rehabilitation. The veterinarian must sign the application certifying that he will assist with rehabilitation. If an applicant is a veterinarian, an additional veterinarian is not required to sign the application;

(2) the names, addresses, and telephone numbers of any other people who will assist the applicant. Each assistant must possess sufficient experience and adequate facilities to care for the species in his care;

(3) a list of species that will be accepted for rehabilitation;

(4) a description of the rehabilitation facilities, equipment, and supplies that will be utilized. The description must include, but is not limited to:

(a) cages and enclosures;

(b) a list of animals that will be housed in each cage or enclosure and the purpose for each cage or enclosure;

(c) medical supplies;

(d) food sources; and

(e) any other items used for rehabilitation.

In describing cages used, the applicant must provide the internal dimensions and specify the materials used for flooring, walls, and other items to be used inside the cage.

Section 50‑27‑40. An applicant may not be issued a wildlife rehabilitation permit unless the applicant can demonstrate that he:

(1) is knowledgeable of currently accepted wildlife rehabilitation techniques;

(2) has suitable rehabilitation facilities, equipment, and supplies for the wildlife that the applicant proposes to rehabilitate; and

(3) is qualified to rehabilitate wildlife. To demonstrate that an applicant is qualified to rehabilitate wildlife, he must have at least one of the following:

(a) at least one year working experience with a:

(i) veterinarian;

(ii) licensed wildlife rehabilitator;

(iii) licensed wildlife rehabilitation facility; or

(iv) a zoo;

(b) a bachelor of science in a wildlife related field;

(c) passed a wildlife rehabilitation examination administered by a recognized wildlife rehabilitation educational organization;

(d) be licensed to operate a wildlife rehabilitation facility in another state if the other state’s license requirements are at least as stringent as the license requirements in this State.

Section 50‑27‑50. An amended application must be submitted with the department if there is a material change concerning any of the information contained in the original application.

Section 50‑27‑60. A permittee must file the name, address, and contact information for each new assistant. The permittee must also certify that each new assistant possesses sufficient experience and adequate facilities to care for the species in his care.

Section 50‑27‑70. Each permittee must file a permit renewal annually no later than February first. Permit renewals received after February first must be reviewed by the department in the same manner as new applications.

Section 50‑27‑80. All permitted facilities must be maintained in a sanitary condition.

Section 50‑27‑90. Each permittee must maintain adequate records for each animal at a permitted facility, including, but not limited to:

(1) the name and contact information for the person responsible for the animal being at the rehabilitation facility;

(2) the species and condition;

(3) the date of intake;

(4) the treatment provided; and

(5) the final disposition after rehabilitation.

Section 50‑27‑100. An animal in possession of a permittee for rehabilitation pursuant to this chapter may not be displayed, showed, exhibited, or otherwise placed in contact with the public.

Section 50‑27‑110. A licensed veterinarian may take possession of wildlife for rehabilitation without a wildlife rehabilitation permit.

Section 50‑27‑120. A veterinarian may administer available rabies vaccine to animals under a permittee’s care for which a USDA licensed rabies vaccine does not exist if the veterinarian reasonably believes that the vaccine will be effective and not harmful to the animal.

Section 50‑27‑130. All wildlife native to South Carolina may be rehabilitated and released back into the wild with the exception that rehabilitated coyotes may not be released back to the wild. A rehabilitated coyote must be transported to an appropriate location or facility for permanent care.

Section 50‑27‑140. A permittee that violates the provisions of this chapter may have his permit suspended, revoked, or renewal denied. Any action to suspend or revoke a permit pursuant to this section is subject to the Administrative Procedures Act.”

SECTION 2. Section 50‑11‑2605 of the 1976 Code is amended to read:

“Section 50‑11‑2605. (A) It is unlawful to buy, sell, transfer, possess, or release a live coyote~~,~~ or coyote‑hybrid~~, or fox~~ within the State except as permitted by the department pursuant to this title.

(B) It is unlawful to buy, sell, transfer or possess a fox within this State except as permitted by the department pursuant to this title.”

SECTION 3. This act takes effect upon approval by the Governor.

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