



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0449 Introduced on January 25, 2023
Author: Climer
Subject: Feral Hog Sunset Strike
Requestor: Senate Agriculture and Natural Resources
RFA Analyst(s): Tipton
Impact Date: February 8, 2023

Fiscal Impact Summary

This bill extends the sunset provision of Act 71 of 2021 from July 1, 2024, to July 1, 2026. The act established that the transportation of live swine on a South Carolina public roadway or waterway requires an official form of identification approved by the State Veterinarian within Clemson University or other appropriate documentation that may be used in lieu of such identification. In addition, the act removed the requirement that a person hold a valid Department of Natural Resources (DNR) permit for taking, transporting, and releasing a pig and removed the requirement that pig hunting enclosures be permitted by DNR.

This bill will have no expenditure impact on DNR, the Clemson University Public Service and Agriculture (PSA) State Veterinarian, or Judicial, as the requirements of these entities, if any, as a result of the extension of the sunset provision will be managed within existing resources.

This bill will decrease Other Funds revenue for DNR by approximately \$160 per year on average in FY 2024-25 and FY 2025-26 by extending the elimination of the requirement that pig hunting enclosures be permitted by DNR at a cost of \$50 per permit. DNR revenue will return to historical levels beginning in FY 2026-27 due to the re-establishment of swine transport and enclosure permitting. The revenue impact of this section will be updated if further information becomes available.

This bill will have no material impact on Judicial fines and fees revenue, as Judicial indicates that there have been very few convictions, if any, for the offense established by the act.

Explanation of Fiscal Impact

Introduced on January 25, 2023

State Expenditure

This bill extends the sunset provision of Act 71 of 2021 from July 1, 2024, to July 1, 2026. This act made it unlawful to transport live swine on a public road or waterway within South Carolina unless the swine have been assigned an official form of identification approved by the State Veterinarian or are accompanied by a document that may be presented in lieu of an official form of identification. Documents that may be substituted for the required identification include a bill of lading, invoice, receipt, bill of sale, or similar document showing the quantity of swine to be

sold or transported and the name of the wholesale producer or dealer from whom the swine were purchased or received. Swine transported without the proper identification are presumed to have been taken from the wild, which constitutes the offense of unlawful transport of a wild pig. The act also made it unlawful for a person to misuse or alter a permit, tag, or other form of identification or to attempt to obtain such identification by fraud or misrepresentation. A person who commits such an act, who knowingly provides identification to someone other than the owner of the swine, or who attempts to otherwise circumvent these provisions is deemed to have committed the offense of misused identification. A person who violates the provisions of the act is guilty of a misdemeanor and, upon conviction, is subject to a fine, imprisonment, or both.

The act also amended provisions related to the capture, transport, and release of a pig from a free roaming population by removing the following requirements: that a person first obtain a permit from DNR before capturing, transporting, or releasing a pig; that pigs captured pursuant to a permit be tagged at the point of capture; and that any pig hunting enclosure be permitted by the department at a cost of \$50 annually. Further, the bill makes it unlawful to import, possess, buy, sell, offer for sale, transfer, or transport a pig taken from the wild, and it makes releasing a live pig into the wild illegal. A person who violates these provisions will be charged with a separate offense for each pig that is unlawfully captured, owned, transferred, or released. In addition, the act repealed §50-9-655 to remove the requirement that a person obtain a pig transport and release permit from DNR for a \$50 annual fee and to remove the requirement that an owner of any pig hunting enclosure obtain a pig enclosure permit from DNR for a \$50 annual fee.

Department of Natural Resources. This bill extends the sunset provision of Act 71 of 2021, which removed the requirement that a person holding a valid permit issued by DNR for the taking, transporting, and releasing of a pig may do so in certain circumstances. This act further stipulated that it is unlawful to import, possess, buy, sell, offer for sale, transfer or transport a live pig. Each instance of doing so constitutes a separate offense. The act further made it unlawful to release a live pig into the wild.

This bill will have no expenditure impact on DNR, as the agency indicates that the continuation of the act for two additional years will be managed with existing officers, and within current resources and appropriations.

Clemson University – State Veterinarian. This bill extends the sunset provision of Act 71 of 2021, which required the State Veterinarian to approve an official form of identification to legally transport live swine on a public road or waterway within South Carolina. Clemson PSA, under which the State Veterinarian is located, indicates that currently, the U.S. Department of Agriculture (USDA) provides free swine ear tags for identification and transfer purposes and approved by the State Veterinarian for compliance with the act. Therefore, the extension of the sunset provision will have no expenditure impact on the State Veterinarian.

Judicial. This bill extends the sunset provision of Act 71 of 2021, which designated that a person who violates the provision of the act is guilty of a misdemeanor and, upon conviction, is subject to the penalty prescribed in §47-4-130. Judicial indicates that very few, if any,

convictions have occurred since the act took effect, and therefore, the extension of the sunset provision will be managed within existing Judicial resources.

State Revenue

This bill extends the sunset provision of Act 71 of 2021 from July 1, 2024, to July 1, 2026. This act provides that the transportation of live swine on a South Carolina public roadway or waterway requires an official form of identification approved by the Clemson University’s State Veterinarian or other appropriate documentation that may be used in lieu of such identification. This act further removed the requirement that pig hunting enclosures be permitted by DNR at a cost of \$50 annually. In the ten years since FY 2010-11 that DNR was required to issue these permits, DNR issued 32 permits, resulting in total Other Funds revenue of \$1,600:

Revenue from Pig Hunting Enclosure Permits, FY 2010-11 through FY 2019-20		
FY	Total Permits Issued	Total Revenue
2010-11	2	\$100
2011-12	2	\$100
2012-13	5	\$250
2013-14	5	\$250
2014-15	4	\$200
2015-16	4	\$200
2016-17	4	\$200
2017-18	4	\$200
2018-19	2	\$100
2019-20	0	\$0
Total	32	\$1,600

Note: Data provided by DNR.

The act further eliminated the requirement that the transportation of live swine on a public road or waterway within South Carolina required a DNR permit, at an unknown cost. Therefore, this bill will continue to reduce Other Funds revenue for DNR by \$160 per year on average for FY 2024-25 and FY 2025-26. DNR revenue will return to historical levels beginning in FY 2026-27 due to the re-establishment of swine transport and enclosure permitting. The revenue impact of this section will be updated if further information becomes available.

This bill will have no material impact on Judicial fines and fees revenue, as Judicial indicates that there have been very few convictions, if any, for the offense established by the act.

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director