



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H. 4612 Introduced on January 9, 2024
Author: Hixon
Subject: Aerial Hunting of Feral Hogs
Requestor: House Agriculture, Natural Resources, and Environmental Affairs
RFA Analyst(s): Daigle
Impact Date: January 22, 2024

Fiscal Impact Summary

This bill allows the Department of Natural Resources (DNR) to issue permits for taking feral hogs while airborne in a helicopter. This bill also enables an airman or passenger while in flight within South Carolina, to kill or attempt to kill feral hogs while acting under a permit issued by DNR. This bill requires that the parcel of land to be hunted must be described in the permit application. This bill requires DNR to adhere to two federal reporting requirements dealing with airborne feral hog hunting. DNR has the authority to prescribe the form, duration, and manner of application, issuance, and reporting requirements. This bill also specifies that it is illegal for a hunter to take or attempt to take a feral hog from a helicopter without having a permit in their immediate possession. Additionally, this bill specifies that it is illegal for a hunter to take or attempt to take any animal or bird for sport or profit.

This bill will have no expenditure impact on DNR and Judicial as both anticipate that any expenditures can be managed within current appropriations.

This bill may impact General Fund, Other Funds, and local revenues from court fines and fees. Additionally, this bill creates two new fines including one for airborne hunters who do not have a permit in their immediate possession and one for airborne hunters who hunt for sport or profit. The fine for an airborne feral hog hunter that does not have a permit in their immediate possession is \$500 to \$1,000, and the fine for an airborne hunter that attempts to take or takes an animal for profit or sport is \$1,000 to \$5,000. Per Section 50-9-910, any revenue from these fines is credited to the County Game and Fish Fund subaccount for the county from which the revenue was collected.

Explanation of Fiscal Impact

Introduced on January 9, 2024

State Expenditure

This bill allows DNR to issue permits for taking feral hogs while airborne in a helicopter, when necessary, to protect land, water, wildlife, livestock, domesticated animals, human life, crops, or to meet wildlife management objectives. Permits cannot be issued for sport. A permit application must sufficiently describe the parcel of land where the hogs will be hunted so that law enforcement can locate the property. This bill requires that when a permit is issued, DNR must

notify the United States Fish and Wildlife Service Special Agent in charge of permits for the Southeast Regional Office as required by Title 50 of the Code of Federal Regulations (CFR) Section 19.31. This bill also requires DNR to file an annual report on the use of helicopters to take feral hogs with the Secretary of the Interior of the United States which is mandatory under Title 16 of the United States Code Section 742j-1.

This bill makes it illegal for a person to hunt or kill, or attempts to hunt or kill, from a helicopter, any feral hog without first obtaining, and having in immediate possession, a permit. The violation for this requirement is misdemeanor that carries a fine of \$500 to \$1,000, or imprisonment for a term not to exceed thirty days. Additionally, a person convicted of this offense will be ineligible for issuance of this permit.

This bill also makes it illegal to for a person to hunt or kill, or attempt to hunt or kill, any animal or bird, or hunt for sport or profit while airborne in a helicopter. The violation for this requirement is a fine of \$1,000 to \$5,000 or imprisonment for a term not to exceed thirty days. Additionally, if a person is convicted of this offense, any permit issued to that person is revoked.

Currently, no permit exists for taking feral hogs while airborne in a helicopter; and it is illegal to kill or attempt to kill any birds or animals, including feral hogs, as an airman or passenger in flight. The current violation for killing any animals or birds from a helicopter is a misdemeanor that carries a fine of up to \$2,000 or imprisonment for not more than thirty days, or both.

This bill charges DNR with additional responsibilities. DNR anticipates that the agency is able to manage additional responsibilities due to this bill with existing resources by assigning duties among existing staff, and by using existing equipment and supplies. Judicial indicates any change in general session courts due to this bill would be minimal, as there were no dispositions during the 2022-23 reporting year of a person killing or attempting to kill any animal or bird while in flight. Therefore, this bill will have no expenditure impact for Judicial.

State Revenue

This bill will impact fine revenue as this bill exempts airborne hunters of feral hogs from an existing fine if they are acting under a permit issued by DNR and creates two new fines. The penalty for an airborne feral hog hunter that does not have a permit in their immediate possession is a fine of \$500 to \$1,000 or imprisonment for not more than thirty days. The penalty for an airborne hunter that attempts to take or takes an animal for profit or sport is a fine of \$1,000 to \$5,000 or imprisonment for not more than thirty days. Per Section 50-9-910, unless otherwise provided, revenue from fines and forfeitures for violations of Chapters 1 through 16 of Title 50 are credited to the County Game and Fish Fund subaccount for the county from which revenue was collected.

Additionally, court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, this bill may result in an undetermined impact to the General Fund and Other Funds revenue due to the change in fines and fees collections in court.

Local Expenditure

N/A

Local Revenue

This bill may result in a change in fine revenue as this bill exempts airborne hunters of feral hogs from an existing fine if they are acting under a permit issued by DNR; but creates a new fine for airborne hunters who do not have a permit in their immediate possession, and another new fine if an airborne person hunts for sport or profit. Under Section 50-9-910, unless otherwise provided, revenue from fines and forfeitures for violations of Chapters 1 through 16 of Title 50 are credited to the County Game and Fish Fund subaccount for the county from which revenue was collected.

Additionally, court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, this bill may result in an undetermined impact to local revenue due to the changes in revenue collected for illegal airborne feral hog hunting and in any other fines and fees collections in court.



Frank A. Rainwater, Executive Director