**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3937**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Hixon

Document Path: LC-0042PH25.docx

Introduced in the House on February 6, 2025

Currently residing in the House Committee on **Agriculture, Natural Resources and Environmental Affairs**

Summary: Venomous Reptiles

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/6/2025 House Introduced and read first time (House Journal‑page 43)

 2/6/2025 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** (House Journal‑page 43)

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**VERSIONS OF THIS BILL**

[02/06/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3937_20250206.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA VENOMOUS REPTILES ACT” BY ADDING CHAPTER 8 TO TITLE 47 SO AS TO DEFINE TERMS, to PROHIBIT THE POSSESSION OF VENOMOUS REPTILES WITHOUT A PERMIT, to PROVIDE FOR THE PERMITTING OF VENOMOUS REPTILES, to ESTABLISH GUIDELINES FOR LAWFUL HOUSING AND TRANSPORTATION OF VENOMOUS REPTILES, to provide requirements for safekeeping venomous reptiles, to PERMIT FOR THE SEIZURE OF VENOMOUS REPTILES UNDER CERTAIN CONDITIONS, to PROVIDE EXEMPTIONS TO THE PERMIT REQUIREMENT, to ESTABLISH JURISDICTION AND ENFORCEMENT, to ESTABLISH THE LIABILITY OF THE PERMITTEE, to PROVIDE PENALTIES for violations of regulations, AND to PERMIT THE DEPARTMENT OF NATURAL RESOURCES TO PROMULGATE REGULATIONS.

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

SECTION 1. This act may be cited as the “South Carolina Venomous Reptiles Act.”

SECTION 2. Title 47 of the S.C. Code is amended by adding:

CHAPTER 8

South Carolian Venomous Reptiles

 Section 47‑8‑10. For purposes of this chapter:

 (1) “Venomous reptile” means all members of the class Reptilia including their taxonomic successors, subspecies, or any hybrid thereof, regardless of surgical alteration, determined to have the potential to cause serious human injury due to the toxic effects of its venom or poison, and includes all venomous reptiles of the class Reptilia belonging to the families Elapidae, Crotalidae, Viperidae, and Hydrophiidae; all reptiles in the genus Heloderma; all reptiles in the family Colubridae belonging to the genera: Rhabdophis, Balanophis, Macropisthodon, Boiga, Dispholidus, Thelotornis, and Thrasops, and all reptiles in the family Atractaspididae.

 (2) “Department” means the South Carolina Department of Natural Resources.

 (3) “Permittee” means the owner or possessor of a venomous reptile as permitted by the department pursuant to this chapter.

 Section 47‑8‑20. Except as otherwise provided in this chapter, it is unlawful for a person to import into, possess, keep, purchase, have custody or control of, reproduce, or sell within this State, by any means, a venomous reptile. This prohibition includes transactions conducted via the internet. Possession of a venomous reptile without a permit as provided in this chapter is illegal ninety days after the effective date of this act.

 Section 47‑8‑30. (A) The department may issue a permit for the lawful possession of a venomous reptile if the applicant:

 (1) is at least eighteen years of age; and

 (2) has never been convicted of a violation of any state or federal wildlife law where the penalty carries more than one year in prison or a fine of more than two thousand five hundred dollars within five years of the application.

 (B) Any person in legal possession of a venomous reptile may keep possession of the venomous reptile for the remainder of the reptile’s life if, within ninety days of the effective date of this act, the possessor applies for and receives a permit from the department. The application must include the applicant’s name, address, telephone number, a complete inventory of each venomous reptile that the applicant possesses, the address where each venomous reptile is located, and the application fee of one hundred and fifty dollars.

 (C) Permits issued for venomous reptiles are valid for three years and must be renewed prior to expiration. The renewal application fee is one hundred and fifty dollars, payable to the department. The application and fee must be received thirty days prior to the expiration of the prior permit.

 (D) A permittee must notify the department promptly of any temporary or permanent change of location of a venomous reptile or of any other material changes to the application information.

 (E) No new permits will be issued by the department after ninety days from the effective date of this act except as provided in subsection (G).

 (F) The provisions of this section supersede the exception in Section 50‑16‑60(15) making the importation and sale of reptiles lawful, except as provided in this chapter.

 (G) Notwithstanding another provision of this chapter, the department may issue a permit to the following after ensuring adequate facilities for humane handling, care, and confinement exist, ensuring public safety:

 (1) any applicant for exhibition purposes. The exhibition must be a fixed facility that is open to the public for a time of no less than thirty hours per week for at least six months per year; and

 (2) any applicant for bona fide research purposes, licensed medical or pharmaceutical facilities, institutions of higher learning, or other similar institutions at the department’s discretion.

 (H) The department may set conditions of a permit.

 (I) The department may allow the importation of venomous reptiles when permit requirements are met.

 Section 47‑8‑40. (A) Venomous reptiles must be housed in a sturdy and secure primary enclosure within a secondary containment area at all times, except during transport.

 (1)Primary enclosures must be:

 (a) designed to be escape‑proof, bite‑proof, and have an operable lock. Each primary enclosure must be clearly and visibly labelled “Venomous Reptile Inside” with the scientific name, common name of the venomous reptile, and the number of venomous reptiles contained in the primary enclosure;

 (b) structurally sound and constructed using break‑resistant material and provide stability and security against escape and unauthorized intrusion; and

 (c) kept in an escape‑proof room or outbuilding which serves as a secondary containment area.

 (2) Primary enclosures equipped with tracks holding sliding panels must be escape proof for the venomous reptile contained in the enclosure.

 (3) Primary enclosures and doors to primary enclosures must be secured.

 (B) Secondary containment areas must be structurally sound and secured with a lock. Every point of entry of the secondary containment area requires a sign clearly stating “Danger – Venomous Reptiles.”

 (C) Venomous reptiles in transport must be housed in an escape‑proof, bite‑proof, and shatter‑resistant container with the permittee’s identifying information noted on the container.

 (D) A written bite protocol must be within sight of the permanent primary enclosure and a copy must accompany the venomous reptile during transport. The bite protocol must include emergency contact information of the permittee, contact information for the local animal control office, the name and location of suitable antivenin for the venomous reptile, first aid procedures, treatment guidelines, and an escape recovery plan.

 (E) Venomous reptiles only may be possessed in houses, buildings, or facilities owned by the permittee or with written permission from the owner or landlord. Written permission by the owner or landlord must be provided upon request of a representative of the department, other governmental code enforcement officer, or wildlife or animal control agent. Venomous reptiles may not be possessed or housed in multifamily or communal housing units.

 (F) The permittee, or his designee or cohabitator, of a venomous reptile must allow the department, other governmental enforcement, or wildlife or animal control agent to enter the premises to inspect the venomous reptile enclosure and verify compliance of permit requirements at all reasonable times due to the inherent dangerous nature of venomous reptiles.

 Section 47‑8‑50. (A) In the event of an escape, containment breach, bite, or any other condition that may allow for unintended release, escape, or contact with a venomous reptile by a party other than the permittee or his designee, the permittee or his designee must notify local law enforcement or local emergency services upon discovery as quickly as practical, but no later than twelve hours after discovery. Notification includes speaking with a law enforcement or emergency services representative.

 (B) Failure to notify local law enforcement or emergency services regarding an escape or other breach of containment or possible breach of containment of a venomous reptile is unlawful and considered wilful.

 (C) In the event of a natural disaster or other emergency circumstance that may put first responders or other maintenance responders in contact with a venomous reptile, the permittee must contact 911 or other emergency service provider regarding the presence and status of the venomous reptile.

 Section 47‑8‑60. (A) A department representative, other governmental enforcement, or wildlife or animal control agent may take possession of a venomous reptile when:

 (1) the venomous reptile is possessed without a valid permit;

 (2) possessed in violation of this chapter, other state or federal laws or regulations, or any other applicable law or ordinance;

 (3) the venomous reptile poses an immediate, imminent danger to the health and safety of the public;

 (4) the permittee is not able to care for the venomous reptile; or

 (5) when the conditions of the venomous reptile’s possession are no longer suitable or humane and the permittee is not able to remedy or make suitable the venomous reptile’s conditions.

 (B) A venomous reptile that is confiscated under this section may be returned to the permittee once lawful possession is established and the return does not pose an immediate, imminent danger to the health and safety of the public.

 (C) A venomous reptile, determined to be possessed without a valid permit or in violation of the provisions of this chapter, is considered contraband per se and may be disposed of at the discretion of the seizing entity.

 (D) The possession, handling, transportation, and maintenance of venomous reptiles are recognized as inherently dangerous and require specialized training and housing. Any venomous reptile confiscated pursuant to this section may be euthanized at the discretion of the seizing entity as suitable handling, maintenance, and housing may not be a viable option due to the inherent dangers of venomous reptiles.

 Section 47‑8‑70. (A) A permit is not required for:

 (1) the temporary possession of a native venomous reptile when a person is acting as a nuisance wildlife control operator or wildlife removal specialist holding an animal for less than forty‑eight hours;

 (2) a person possessing a native venomous reptile for the purpose of aversive conditioning training for dogs where a native venomous reptile is held for less than forty‑eight hours; or

 (3) a facility accredited by the Association of Zoos and Aquariums.

 Section 47‑8‑80. (A) A county, municipality, or other political subdivision of this State may adopt an ordinance regulating possession of venomous reptiles that is more restrictive than this chapter. Nothing in this chapter requires a county, municipality, or other political subdivision to adopt an ordinance to comply with this chapter.

 (B) The department, law enforcement agencies, and other governmental enforcement or wildlife or animal control agents are authorized and empowered to enforce the provisions of this chapter.

 Section 47‑8‑90. (A) The permittee of a venomous reptile is liable for all costs associated with the escape, capture, maintenance, disposition, and resulting injuries involving the venomous reptile.

 (B) The permittee must comply with all additional applicable federal, state, or local laws, rules, regulations, ordinances, permits, or other permissions regarding ownership of venomous reptiles.

 (C) Failure to comply with any law, rule, regulation, ordinance, permit, or other permission constitutes a violation of this chapter and does not constitute “legal possession” as required in this chapter.

 Section 47‑8‑100. (A) Violation of a regulation regarding venomous reptiles is a civil offense. The department may impose a civil penalty of up to two hundred dollars or suspend the permit of a person adjudicated in violation, or both.

 (B) Violation of a permit condition pursuant to this chapter is a civil offense, in addition to any statutory criminal penalty. The department may impose a civil penalty of up to five hundred dollars and suspend or revoke the permit of a person adjudicated in violation, or both.

 (C) The department may suspend or revoke a permit for violation of any conservation law.

 Section 47‑8‑110. (A) A person who fails to notify law enforcement or emergency personnel as required pursuant to Section 47‑8‑50 is guilty of a misdemeanor and, upon conviction, shall be fined not more than two thousand five hundred dollars or imprisoned not more than thirty days, or both.

 (B) A person who possesses a venomous reptile without a permit in violation of this chapter or who fails to notify law enforcement or emergency personnel as required in this chapter, and such venomous reptile bites or causes one, other than the permittee or his designee, to come into contact with and be effected by the snake’s venom is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars and imprisoned not more than three years.

 (C) A person who possesses a venomous reptile without a permit is guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

 (D) Magistrates court has concurrent jurisdiction over offenses contained in this chapter.

 (E) Each violation of this chapter is considered a separate offense.

 (F) Each reptile possessed in violation of this chapter is a separate violation.

 Section 47‑8‑120. The department may promulgate regulations for the control of venomous reptiles, not contrary to or inconsistent with the laws and policies of this State.

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

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