

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

400M0337

HOUSE BILL NO. 1028

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Game, Fish and Parks

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the transportation,
2 possession, purchase, and sale of certain endangered and threatened species of wildlife and
3 to provide a penalty for violation of those provisions.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 34A-8-10 be amended to read as follows:

6 34A-8-10. ~~A~~ Except for black bear as provided in section 2 of this Act, any species of
7 wildlife appearing on any of the lists enumerated in § 34A-8-9 may enter South Dakota from
8 another state or from a point outside the territorial limits of the United States and may be
9 transported, possessed, purchased, and sold in accordance with the terms of a permit issued
10 pursuant to rules promulgated by the Game, Fish and Parks Commission pursuant to chapter 1-
11 26. It is a Class 2 misdemeanor to transport, possess, purchase, or sell any species of wildlife,
12 except black bear, appearing on any of the lists enumerated in § 34A-8-9 without a permit or
13 to violate the conditions of the permit.

14 Section 2. That chapter 34A-8 be amended by adding thereto a NEW SECTION to read as
15 follows:



1 No person may transport into South Dakota or otherwise possess within the state any black
2 bear unless the black bear was lawfully taken or acquired in another state or from a point outside
3 the territorial limits of the United States. No person may buy or sell the edible portions of the
4 bear, the bear paws unless attached to the hide, or the gall bladder of any black bear. It is a Class
5 2 misdemeanor to transport, possess, purchase, or sell black bear, or any part thereof, in
6 violation of the provisions of this section.