

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0277

HOUSE BILL NO. 1026

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 define unprotected birds.

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

3 Section 1. That chapter 41-11 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 For the purposes of this chapter, the term, unprotected birds, means any species of birds
6 determined by the Game, Fish and Parks Commission to no longer merit protected status under
7 § 41-11-2. The commission shall establish a list of unprotected birds, by rules promulgated
8 pursuant to chapter 1-26, which shall include the English house sparrow, the European starling
9 and the unbanded undomesticated pigeon (rock dove).

10 Section 2. That § 41-11-10 be amended to read as follows:

11 41-11-10. ~~The English or European house sparrow, unbanded undomesticated pigeon (rock~~
12 ~~dove), and European starling~~ Unprotected birds, as defined in section 1 of this Act, are not
13 included among the birds protected by this chapter. Purple grackle, crow, magpie, brown headed
14 cow bird, red-winged blackbird, Brewers blackbird, rusty blackbird, and the bronzed grackle
15 may be taken when committing or about to commit depredation upon ornamental or shade trees,



- 1 agricultural crops, livestock or wildlife, or when concentrated in such numbers and manner as
- 2 to constitute a health hazard or other nuisance.