



2022 South Dakota Legislature
House Bill 1131
ENROLLED

AN ACT

ENTITLED An Act to provide for a revocation of hunting, trapping, or fishing privileges.

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

Section 1. That § 41-9-8 be AMENDED:

41-9-8. If a person violates § 41-9-1 or 41-9-2, a court may, upon a finding of guilt or upon a conviction, order the revocation of the person's hunting, fishing, or trapping privileges for one year.

If a person knowingly enters or remains on private property for the purpose of hunting, fishing, or trapping, in violation of § 41-9-1 or 41-9-2, the person shall be fined five hundred dollars, and shall lose hunting, trapping, or fishing privileges for one year following a finding of guilt or a conviction.

A person's hunting, fishing, or trapping privileges shall be revoked for two years following a second or subsequent finding of guilt or conviction under § 41-9-1 or 41-9-2, within ten years.

The court may order that any revocation of hunting, fishing, or trapping privileges, authorized by this section, be served consecutively with any other revocation of a person's hunting, fishing, or trapping privileges imposed for a violation for which the person is convicted and for which revocation of the privileges is authorized under this title.

If the person is the holder of a license to hunt, trap, or fish, the court shall require that the license holder surrender and deliver the license to the court, to be returned to the Department of Game, Fish and Parks.

Unarmed retrieval of lawfully taken small game from private land, land controlled by the Department of Game, Fish and Parks, or other public lands, is not a crime or petty offense, if the retrieval of the small game does not involve the use of a motor vehicle.

It is a Class 2 misdemeanor for any person, while engaged in the retrieval of small game from private land, without permission of the owner or lessee of the land, to

intentionally drive or flush any small game located on the land toward other hunters of the retriever's same hunting group, located on other parcels of land or rights-of-way.

It is a Class 2 misdemeanor for any person, who is a member of the same hunting group as the person performing the retrieval without the permission of the owner or lessee of the land, to intentionally discharge a firearm at small game, except waterfowl, that originates from the private land during the retrieval.

This section does not limit any civil remedies available to a landowner.

An Act to provide for a revocation of hunting, trapping, or fishing privileges.

I certify that the attached Act originated in
the:
House as Bill No. 1131

Received at this Executive Office
this ____ day of _____,
2022 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2022

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2022
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1131
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State