



## 2025 South Dakota Legislature

# Senate Bill 41

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

1 **An Act to clarify the minimum age requirements for a hunting license.**

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

3 **Section 1. That § 41-6-10 be AMENDED:**

4 **41-6-10.** Licenses, permits, and stamps issued under this title are classified as  
5 follows:

- 6 (1) Breeding and raising birds license;  
7 (2) Disabled hunter permit;  
8 ~~(2)(3) Export bait dealer license;~~  
9 ~~(2A) Fall three-day temporary nonresident waterfowl license;~~  
10 ~~(3)(4) Fur dealer's license;~~  
11 ~~(4)(5) Hoop net, trap, or setline license;~~  
12 ~~(5) License for breeding and domesticating animals and birds;~~  
13 ~~(6) Resident license to take fur-bearing animals;~~  
14 ~~(6A) Reciprocal nonresident license to take fur-bearing animals;~~  
15 (6) Mentored youth hunting license;  
16 ~~(7)(7) Nonresident big game license;~~  
17 ~~(8)(8) Nonresident fishing license;~~  
18 ~~(9)(9) Nonresident and resident migratory bird certification permit;~~  
19 (10) Nonresident predator/varmint license;  
20 ~~(10) Repealed by SL 1999, ch 213, § 3.~~  
21 ~~(11)(11) Nonresident retail bait dealer license;~~  
22 ~~(12)(12) Nonresident shooting preserve license;~~  
23 ~~(13)(13) Nonresident small game license;~~  
24 ~~(14) Nonresident and resident migratory bird certification permit;~~  
25 ~~(15)(14) Nonresident wholesale bait dealer license;~~  
26 ~~(16)(15) Nonresident wild turkey license;~~

- 1       ~~(17)~~(16) Nursing facility group fishing license;
- 2       ~~(18)~~(17) Park user's license;
- 3       ~~(19)~~(18) Permit for transportation of big game animal;
- 4       ~~(20)~~(19) Private fish hatchery license;
- 5       (20) Reciprocal nonresident license to take fur-bearing animals;
- 6       (21) Resident license to take fur-bearing animals;
- 7       ~~(21)~~(22) Resident big game license;
- 8       ~~(22)~~(23) Resident elk license;
- 9       ~~(23)~~(24) Resident fishing license and resident senior fishing license;
- 10      ~~(24) Repealed by SL 1999, ch 213, § 3.~~
- 11      ~~(25)~~(25) Resident retail bait dealer license;
- 12      ~~(26)~~(26) Resident small game license and resident youth small game license;
- 13      ~~(27)~~(27) Resident predator/varmint license;
- 14      ~~(28)~~(28) Resident wholesale bait dealer license;
- 15      ~~(29)~~(29) Resident wild turkey license;
- 16      ~~(30)~~(30) Scientific collector's license;
- 17      ~~(31)~~(31) Special nonresident waterfowl license;
- 18      ~~(32) Repealed by SL 1999, ch 213, § 3.~~
- 19      ~~(33)~~(32) Taxidermist's license;
- 20      ~~(33A) Spring snow goose temporary nonresident license;~~
- 21      ~~(33B) Early fall Canada goose temporary nonresident license;~~
- 22      ~~(34)~~(33) Temporary fishing and hunting licenses;
- 23      (34) Temporary nonresident early fall Canada goose license;
- 24      (35) Temporary nonresident fall three-day waterfowl license; and
- 25      (36) Temporary nonresident spring snow goose license.

26               The rights and privileges of such licensees are set forth in §§ 41-6-12 to 41-6-  
27 45.1, inclusive, and in § 41-17-13. The Game, Fish and Parks Commission shall  
28 promulgate rules pursuant to chapter 1-26 to set the fees, eligibility, and duration for such  
29 licenses.

30       **Section 2. That § 41-6-12 be AMENDED:**

31               **41-6-12.** Any person who is a resident of this state, as defined by this title,  
32 qualifies as a resident for securing a resident hunting ~~or~~ license, fishing license, or  
33 preference point. A person who is not a resident of this state, as defined by this title, shall  
34 secure an applicable nonresident hunting ~~and~~ license, fishing license, or preference point.

1           ~~No~~Except as otherwise provided in § 41-6-81, a person under the age of twelve  
2 ~~years~~ may not be granted a hunting license. A person who is ten years of age or older  
3 may be granted a hunting preference point. A person who is eleven years of age and who  
4 will become twelve years of age during the period of September first to December thirty-  
5 first, inclusive, may be granted a hunting license or preference point and may be allowed  
6 to hunt beginning September first.

7       **Section 3. That § 41-6-14 be AMENDED:**

8           **41-6-14.** ~~Any~~Except as otherwise provided in § 41-6-81, a person~~between the~~  
9 ~~ages of eleven years and~~ under the age of sixteen years shall ~~first~~ comply with the  
10 provisions of chapter 41-7, pertaining to firearms safety, before being granted a resident  
11 hunting license or ~~the~~ an applicable nonresident hunting ~~licenses~~ license.

12       **Section 4. That § 41-6-81 be AMENDED:**

13           **41-6-81.** ~~Notwithstanding any provisions of Title 41 to the contrary, A mentored~~  
14 ~~youth hunting license may be issued to a child less than~~ under the age of sixteen years of  
15 ~~age is not required to possess a hunting license in order to hunt, if the child is. The child~~  
16 must be accompanied by a hunting mentor. A hunting mentor may be the child's parent  
17 or guardian or any other competent adult who has the ~~written~~ consent of the child's parent  
18 or guardian.

19           The hunting mentor shall be unarmed, except as otherwise provided in this section,  
20 and shall have successfully completed a hunter safety or hunter education course that  
21 meets the requirements of chapter 41-7, ~~and shall possess a valid small game or waterfowl~~  
22 ~~hunting license for the game being hunted. To serve as a hunting mentor for big game,~~  
23 ~~the mentor shall possess the mentor big game license obtained by the child's parent or~~  
24 ~~guardian.~~

25           A child who hunts pursuant to this section ~~shall~~ must be under the immediate  
26 physical control, direct supervision, and responsibility of a hunting mentor, at the time the  
27 child discharges a firearm or operates a bow and arrow in the act of hunting.

28           A hunting mentor may accompany no more than one mentored child at any one  
29 time.

30           ~~No hunting party that includes a mentored child may include more than six persons,~~  
31 ~~regardless of whether or not members of the hunting party are hunting or possess or~~  
32 ~~operate firearms.~~

1           A child who hunts pursuant to this section is subject to all requirements,  
 2 restrictions, and penalties specified in this title and in rules promulgated pursuant to this  
 3 title, with respect to the species being hunted, except that the combined number of  
 4 animals taken or possessed by the child and the hunting mentor may not exceed the  
 5 number of animals authorized under licenses held by the hunting mentor.

6           A mentored child may not take big game under the provisions of this section except  
 7 antlerless deer, turkey, and doe fawn antelope. No big game may be taken by a mentored  
 8 child unless the child's parent or legal guardian has been issued a license that designates  
 9 the child as a mentored child who is authorized to exercise the privileges granted by the  
 10 license. A nonresident big game application must include the name, address, and phone  
 11 number of a resident sponsoring the application. The license is valid only for the mentored  
 12 child and is not transferable to another person. Application for or issuance of such licenses  
 13 does not affect the eligibility of the parent or legal guardian for any other big game license.

14           Nothing in this section prohibits the hunting mentor from carrying a concealed  
 15 pistol or other legally possessed handgun.

16           The Game, Fish and Parks Commission shall promulgate rules, pursuant to chapter  
 17 1-26, to establish criteria and conditions governing the mentored youth hunting license  
 18 and the hunter mentoring program established in this section.

19 **Section 5. That § 41-7-1 be AMENDED:**

20           **41-7-1.** Notwithstanding § 41-6-13, ~~no~~ a hunting license, other than a mentored  
 21 youth hunting license, may not be issued to ~~any person~~ a child under the age of  
 22 sixteen years, ~~unless the applicant~~ child presents to the person authorized to issue ~~such~~  
 23 the license ~~a:~~

24 (1) ~~A certificate of verifying the~~ successful completion of a hunter safety or hunter  
 25 education course, as provided for in rules promulgated by the Game, Fish and Parks  
 26 Commission, pursuant to chapter 1-26, ~~an appropriate;~~

27 (2) ~~A certificate of verifying the~~ successful completion of a hunter safety or hunter  
 28 education course from another state or province of Canada; ~~or a~~

29 (3) A hunting license issued to the applicant in the current or previous year.

30 A violation of this section is a Class 2 misdemeanor.