

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

264P0618

HOUSE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **HB 1228** - 2/12/2008

Introduced by: Representatives Howie, Brunner, Halverson, Hargens, Jerke, Juhnke, Novstrup (Al), Olson (Betty), Pitts, and Sigdestad and Senator Schmidt (Dennis)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to bow hunting methods  
2 used by persons who are disabled or physically incapacitated.

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

4 Section 1. That § 41-8-31 be amended to read as follows:

5 41-8-31. No person may at any time hunt, catch, take, attempt to take, or kill any small game  
6 or game animal in any other manner than by shooting the same with a firearm, except:

7 (1) Game birds and animals may be taken with birds trained in falconry or with bow and  
8 arrow;

9 (2) A permanently or temporarily disabled person who is missing an upper limb,  
10 physically incapable of using an upper limb, or confined to a wheelchair ~~and who has~~  
11 ~~obtained~~ may obtain a disabled hunter permit ~~may to~~ use a crossbow or other legal  
12 bow equipped with a draw-lock device to take game birds and animals; and

13 (3) A legally blind person, who is legally licensed, possesses a disabled hunter permit,  
14 and is physically present and participates in the hunt but cannot safely discharge a



1           firearm or bow and arrow, may claim game birds and animals taken by a designated  
2           hunter in accordance with the license possessed by the legally blind hunter.

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