

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

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HOUSE BILL NO. 1011

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 repeal certain obsolete and unnecessary statutes
2 concerning game preserves and refuges.

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

4 Section 1. That § 41-5-5 be repealed.

5 ~~41-5-5. The Department of Game, Fish and Parks shall post good and sufficient notices at~~
6 ~~the borders of all preserves and refuges of the state, and upon all the public highways leading~~
7 ~~into or across the preserve or refuge, giving notice to the public that the property is a preserve~~
8 ~~or refuge of the state and that hunting is forbidden in the preserve or refuge.~~

9 Section 2. That § 41-5-6 be repealed.

10 ~~41-5-6. It is a Class 2 misdemeanor for any person to cut, remove, or in any way tamper with~~
11 ~~any fence surrounding any preserve or refuge or the gates leading into the preserve or refuge,~~
12 ~~or to leave open or fail to close any such gate if opened.~~

13 Section 3. That § 41-5-7 be repealed.

14 ~~41-5-7. It is a Class 2 misdemeanor for any person to hunt within the limits of the~~
15 ~~boundaries of "the state game preserve," and any and all game and bird refuges now established~~



1 ~~or which may be hereafter established. It is a Class 2 misdemeanor for any person to carry any~~
2 ~~rifle, shotgun, or other hunting firearm across or upon any game preserve or refuge of the state,~~
3 ~~except as provided by § 41-5-8.~~

4 Section 4. That § 41-5-8 be repealed.

5 ~~—41-5-8. Any person crossing the state game preserve or any game or bird refuge upon any~~
6 ~~public highway may carry a firearm if the firearm is enclosed in a case and not removed from~~
7 ~~the case while in the preserve or refuge. Any bona fide resident within any game preserve or~~
8 ~~refuge in the state may carry firearms for the purpose of killing nongame and predatory animals~~
9 ~~or birds on the resident's own premises, and the resident may kill nongame and predatory~~
10 ~~animals or birds on the resident's own premises within any game preserve or refuge.~~

11 Section 5. That § 41-5-9 be repealed.

12 ~~—41-5-9. All conservation officers and members of the state forest service shall enforce the~~
13 ~~provisions of §§ 41-5-6 to 41-5-8, inclusive.~~