

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

393B0632

HOUSE BILL NO. 1162

Introduced by: Representatives Gosch and Lake and Senator Monroe

1 FOR AN ACT ENTITLED, An Act to provide for the expiration of certain statutory authority
2 regarding the promulgation of rules by the Game, Fish and Parks Commission.

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

4 Section 1. That chapter 1-26 be amended by adding a NEW SECTION to read:

5 Except as otherwise provided in this section, the statutory authorization for the Game, Fish
6 and Parks Commission, including the Department of Game, Fish and Parks, and the Secretary
7 of the Department of Game, Fish and Parks, to promulgate rules in accordance with chapter
8 1-26, expires on July 1, 2021, for the following sections:

9 1-27-1.11, 32-3A-1, 32-3A-4, 32-3A-11, 34A-8-10, 34A-8A-2, 40-36-9, 41-2-18, 41-2-33,
10 41-2-34.2, 41-2-38, 41-6-10, 41-6-10.2, 41-6-13, 41-6-18.4, 41-6-19.6, 41-6-29.1, 41-6-30,
11 41-6-32, 41-6-33, 41-6-35, 41-6-37.1, 41-6-37.2, 41-6-59.1, 41-6-72, 41-6-78, 41-6-80, 41-6-81,
12 41-7-1, 41-7-2, 41-7-2, 41-8-24.1, 41-8-31, 41-8-37, 41-8-39.1, 41-10-9, 41-10-14, 41-10-16,
13 41-11-5.5, 41-12-3, 41-12-6, 41-12-12, 41-13-2, 41-13-3.1, 41-14-13, 41-14-14, 41-17-1.1,
14 41-17-13, 41-17-13.4, 41-17-28, 41-23-9, 41-23-12, 41-23-16, and 42-8-102.

15 Beginning July 1, 2019, the Game, Fish and Parks Commission shall undertake a thorough



1 and systematic review of all rules promulgated by the commission for the purpose of repealing
2 rules, or identifying necessary changes to rules, that are determined by the commission to be
3 irrelevant, inconsistent, illogically arranged, or unclear in their intent and direction. Following
4 the review and based on its findings, the commission may, in a report provided to the Executive
5 Board of the Legislative Research Council, on or before October 1, 2020, recommend that
6 specific sections of law be exempted from the expiration date set forth in this section.