



2020 South Dakota Legislature

House Bill 1254

Introduced by: **Representative** Herman Otten

1 **An Act to require a habitat stamp for certain hunting, fishing, canoeing, kayaking,**
 2 **and jet skiing activities.**

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

4 **Section 1.** That a NEW SECTION be added:

5 **41-6-85. Habitat stamp--Fee--Requirements--Promulgation of rules--**
 6 **Violation as misdemeanor.**

7 A person eighteen years of age or older shall purchase a habitat stamp when
 8 applying for or purchasing a hunting or fishing license. The fee for the habitat stamp shall
 9 be ten dollars for residents and twenty-five dollars for nonresidents. A person is not
 10 required to purchase more than one habitat stamp within a license period as provided by
 11 the applicable license and rules promulgated by the commission under chapter 1-26. Any
 12 person required to possess a hunting or fishing license may not fish and hunt, or trap
 13 without a stamp validation. A purchase of the habitat stamp is not required for the one-
 14 day hunting or fishing license, youth hunting license, or landowner hunting license. A
 15 violation of this section is a Class 2 misdemeanor.

16 **Section 2.** That a NEW SECTION be added:

17 **41-6-85.1. Habitat Stamp decal--Requirements.**

18 In accordance with § 41-6-85, a person eighteen years of age or older shall
 19 purchase a habitat stamp for the privilege of using a canoe, kayak, or jet ski on any public
 20 waters of this state. All fees collected from persons who purchase a habitat stamp for the
 21 purposes of using canoe, kayak, or jet ski shall be used solely for the purposes of aquatic
 22 habitat and access projects in public water under § 41-6-86. Each canoe, kayak, or jet ski
 23 is required to be validated by a decal. A habitat stamp purchased under this section is
 24 valid for one year.

1 **Section 3.** That a NEW SECTION be added:

2 **41-6-86. Habitat stamp revenue--Use and purposes--Annual report.**

3 All revenue collected from the sale of the habitat stamp provided for in § 41-6-85
4 shall be deposited in the game, fish and parks fund for the purposes of enhancing
5 terrestrial habitat on public lands, providing additional public access to private lands, and
6 aquatic habitat enhancements on public waters. All fees collected from persons who only
7 purchase fishing licenses shall be used solely for aquatic habitat and access projects in
8 public waters. All fees collected from persons who only purchase hunting or trapping
9 licenses shall be used solely for terrestrial habitat and public access programs. All fees
10 collected from persons that purchase privileges to fish and hunt, or trap shall be extended
11 equally for aquatic and terrestrial habitat. Proceeds from the habitat stamp fee collected
12 may not be used to purchase property in fee title. The department shall deliver an annual
13 itemized expenditure report to the Government Operations and Audit Committee.