

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

400A0270

SENATE BILL NO. 54

Introduced by: The Committee on Judiciary at the request of the Department of Game, Fish,
and Parks

1 FOR AN ACT ENTITLED, An Act to revise the violations which are cause for the revocation
2 of a person's hunting, trapping, or fishing privileges and to extend the duration of the
3 revocation.

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

5 Section 1. That § 41-6-74 be amended to read as follows:

6 41-6-74. ~~In any case where~~ If a person is convicted of a violation of a game and fish law
7 punishable as a felony or Class 1 misdemeanor or; a violation of § 41-12-12 or § 41-12-13 or;
8 a violation of any other law or regulation pertaining to fishing, hunting, or possessing game
9 without license or during a closed season; or taking or possessing in excess of the lawful daily
10 or possession limit one or two paddlefish, two or three turkeys, four to six, inclusive, of any one
11 game fish as regulated other than paddlefish, or four to six, inclusive, of any one small game
12 animal as regulated; the court shall revoke the person's hunting, trapping, or fishing privilege for
13 a period of one year following ~~such the conviction and if such.~~ If a person is convicted of taking
14 or possessing in excess of the lawful daily or possession limit three or more paddlefish, four or
15 more turkeys, seven or more of any one game fish as regulated other than paddlefish, or seven

1 or more of any one small game animal as regulated, the court shall revoke the person's hunting,
2 trapping, or fishing privilege for a period of two to five years, inclusive, following the conviction.
3 If the person is the holder of a license to hunt, trap, or fish, the court shall require ~~such~~ the
4 license holder to surrender and deliver ~~such~~ the license into court and the same shall be canceled
5 and revoked at which time the revocation shall be noted on the face of the license and returned
6 to the Department of Game, Fish and Parks. If the person has a combination license, the
7 revocation shall be noted on the face of the license and shall be returned to the person to remain
8 valid for the other purposes permitted by the license. For the purpose of this section,
9 "conviction" ~~shall be~~ is defined as provided in § 32-12-53.