

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

463C0458

## HOUSE BILL NO. 1153

Introduced by: Representatives Duenwald, Brown (Jarvis), Fryslie, Lintz, and Wetz and  
Senators Madden and Albers

1 FOR AN ACT ENTITLED, An Act to revise the distance requirements for certain hunting and  
2 trapping activities.

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

4 Section 1. That § 41-9-1.1 be amended to read as follows:

5 41-9-1.1. Except for controlled access facilities as defined in § 31-8-1, interstate highways,  
6 unimproved section lines not commonly used as public rights-of-way, and highways within parks  
7 or recreation areas or within or adjoining public shooting areas or game refuges posted for  
8 restriction of an applicable use as hereinafter set forth by the Department of Game, Fish and  
9 Parks, § 41-9-1 does not apply to fishing, trapping, or hunting on highways or other public  
10 rights-of-way within this state that meet the requirements of § 41-9-1.3. No person, except the  
11 adjoining landowner or any person receiving written permission from the adjoining landowner,  
12 may use such highways or rights-of-way for the purposes of hunting defined in this title within  
13 ~~six hundred sixty~~ one thousand feet of an occupied dwelling, a church, schoolhouse, or livestock.  
14 No person, except the adjoining landowner or any person receiving written permission from the  
15 adjoining landowner, may use such highways or rights-of-way for the purpose of trapping within  
16 ~~six hundred sixty~~ one thousand feet of an occupied dwelling, church, or schoolhouse. A violation

1 of this section is a Class 2 misdemeanor. If any person is convicted of knowingly discharging a  
2 firearm within ~~six hundred sixty~~ one thousand feet of any occupied dwelling, church, or  
3 schoolhouse for which such distance has been clearly and accurately marked and posted, the  
4 court shall, in addition to any other penalty, revoke the person's hunting privileges for a period  
5 of one year from the date of conviction.