

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

228H0089

SENATE BILL NO. 77

Introduced by: Senator Hutmacher and Representatives Nachtigal and Bartling

1 FOR AN ACT ENTITLED, An Act to prohibit big game hunting on certain railroad rights-of-
2 way.

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

4 Section 1. That § 41-9-1.2 be amended to read as follows:

5 41-9-1.2. No person may hunt big game on interstate highways or controlled access facilities
6 as defined in § 31-8-1 within this state.

7 No person may discharge a rifle or bow and arrow at a big game animal from within the
8 right-of-way of an improved public highway. However, any person who possesses a disabled
9 hunter permit issued by the department to shoot from a vehicle as provided in § 41-8-37 may
10 hunt on public rights-of-way adjoining publicly-owned hunting areas and on rights-of-way
11 adjoining private lands with the written permission of the owner or lessee.

12 Retrieval of lawfully taken big game is permitted on all public rights-of-way.

13 No person may discharge a rifle or bow and arrow at a big game animal from within any
14 state-owned railroad right-of-way.

15 A violation of this section is a Class 2 misdemeanor.

