

State of South Dakota

EIGHTY-SECOND SESSION LEGISLATIVE ASSEMBLY, 2007

345N0660

HOUSE BILL NO. 1235

Introduced by: Representatives Turbiville, Ahlers, Faehn, Gilson, Hills, and Pitts and
Senators Hauge, Duenwald, Greenfield, Hanson (Gary), Koetzle, and Lintz

1 FOR AN ACT ENTITLED, An Act to authorize the trapping and hunting of certain furbearing
2 animals by nonresidents.

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

4 Section 1. That § 41-6-23 be amended to read as follows:

5 41-6-23. Except as provided in this section, it is a Class 2 misdemeanor for ~~a resident~~ any
6 person to hunt, take, kill, or trap fur bearing animals without a license to take fur bearing
7 animals or in violation of the conditions of the license or the rules of the Game, Fish and Parks
8 Commission.

9 A license to take fur-bearing animals permits the ~~resident~~ licensee to set or operate a trap
10 or traps, hunt, catch, take, trap, or kill fur-bearing animals, except the black-footed ferret, to the
11 extent and in the manner provided in §§ 41-8-20 to 41-8-26, inclusive.

12 A license to take fur-bearing animals is not required for residents to hunt raccoon, skunk,
13 badger, jackrabbit, fox, and coyote with firearms. A license to take fur-bearing animals is not
14 required for residents to trap raccoon, skunk, badger, jackrabbit, fox, and coyote between April
15 first and August thirty-first.



Section 2. That § 41-2-34.2 be amended to read as follows:

41-2-34.2. The Game, Fish and Parks Commission shall impose a surcharge in the amount of five dollars on each classification of hunting licenses issued by the Department of Game, Fish and Parks with the exception of ~~resident furbearer~~ licenses to take furbearing animals, one-day small game, ~~and licenses~~, predator/varmint licenses, migratory bird certification permits, youth deer licenses, and youth small game licenses. Revenue from the surcharge shall be deposited in a special fund known as the South Dakota sportsmen's access and landowner depredation fund, which is hereby established. Money in the fund is continuously appropriated for the purposes set forth in this section. Fifty percent of the money in the fund shall be available to landowners pursuant to procedures and amounts to be established in rules promulgated by the commission pursuant to chapter 1-26 for purposes of providing hunting access on the landowners' land and for wildlife depredation and damage management programs. Fifty percent of the money in the fund shall be available for purposes of acquiring free public hunting access by lease agreement.

Section 3. That § 41-6-24 be repealed.

~~41-6-24. It is a Class 1 misdemeanor for a person to apply for a license to take protected fur-bearing animals unless he has lived continuously in this state at least ninety days immediately preceding the time of making application for such license.~~

Section 4. That § 41-8-22 be repealed.

~~41-8-22. It is a Class 2 misdemeanor for any person possessing a nonresident predator/varmint license to take, trap, or kill any fur-bearing animal. However, gray and red fox, coyote, and skunk may be taken by shooting.~~