



2021 South Dakota Legislature  
**House Bill 1111**  
**ENROLLED**

AN ACT

**ENTITLED An Act to revise certain provisions regarding inspections and seizures by, and forfeitures involving, the Department of Game, Fish and Parks.**

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

**Section 1.** That § 41-15-8 be REPEALED.

**41-15-8. Inspection of hotels, restaurants, cold storage plants, and icehouses authorized.**

**Section 2.** That § 41-15-14 be AMENDED.

**41-15-14. Seizure and disposition of contraband game and fish.**

The Department of Game, Fish and Parks has charge of the seizure and disposition of any game bird, game animal, and fish, taken, killed, transported, or possessed contrary to law.

**Section 3.** That § 41-15-16 be REPEALED.

**41-15-16. Destruction of unlawful hunting or fishing device by law enforcement officer--Immunity from liability.**

**Section 4.** That § 41-15-18 be AMENDED.

**41-15-18. Unlawfully possessed bird, animal, fish, skin, or container as contraband--Seizure by officer.**

Any bird, animal, fish, or the skin of any fur-bearing animal, or any part of any such bird, animal, fish, or skin, caught, killed, shipped, possessed, or controlled, contrary to any of the provisions of this title or any rules of the Game, Fish and Parks Commission, and any compartment, chest, box, locker, crate, basket, package, or other similar receptacle or similar contrivance in which any such bird, animal, fish, or skin is kept, or

concealed, unless otherwise expressly excepted by law, are deemed contraband. Any conservation officer or law enforcement officer shall seize and take possession of the contraband pending action by a court of competent jurisdiction.

**Section 5.** That § 41-15-18.1 be REPEALED.

**41-15-18.1. Guns, implements, or vehicles unlawfully used in killing or transporting elk or buffalo as contraband--Seizure by officer.**

**Section 6.** That § 41-15-19 be AMENDED.

**41-15-19. Report to secretary of contraband seized.**

All such officers taking or seizing any of the things defined in § 41-15-18 to be contraband shall without unnecessary delay report all of the facts attending such seizure to the secretary of game, fish and parks.

**Section 7.** That § 41-15-20 be AMENDED.

**41-15-20. Sale of contraband and abandoned property--Disposition of proceeds--Record of sales--Tagging of articles sold.**

The secretary of game, fish and parks may sell at the highest market price obtainable any fur, fish, game animal, game bird, hunting equipment, fishing equipment, and other contraband that is abandoned or is deemed contraband as provided in §§ 41-15-15 to 41-15-18, inclusive. The proceeds of the sales shall be turned into the state treasury and credited to the Department of Game, Fish and Parks fund. A record of the sales, including the name of the purchaser and the purchase price paid, shall be kept by the secretary. The secretary shall, before sale, tag the items to be sold in a manner to be determined by the secretary.

An Act to revise certain provisions regarding inspections and seizures by, and forfeitures involving, the Department of Game, Fish and Parks.

I certify that the attached Act originated in the:  
House as Bill No. 1111

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_, 2021 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby approved this \_\_\_\_ day of \_\_\_\_\_, A.D., 2021

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2021  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1111  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State