



## 2021 South Dakota Legislature

**House Bill 1140**

SENATE ENGROSSED

*Introduced by: The Committee on Agriculture and Natural Resources at the request of the Office of the Governor*

1 **An Act to restrict the entry of conservation officers onto certain private land without**  
 2 **permission.**

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

4 **Section 1.** That a NEW SECTION be added:

5 **41-2-48. Conservation officers--Entering private land--Prohibition--**  
 6 **Exceptions.**

7 No conservation officer may, in the course of performing the duties of a  
 8 conservation officer, enter any private land unless the conservation officer has a warrant  
 9 or has the explicit or implied permission of the landowner or lessee. However, any  
 10 conservation officer may enter any private land without permission:

11 (1) If reasonable suspicion or probable cause exists that a violation of a law that the  
 12 conservation officer is authorized to enforce has been, is being, or is about to be  
 13 committed on the private land;

14 (2) To dispatch crippled or distressed wildlife the conservation officer has personally  
 15 and lawfully observed on the private land; or

16 (3) To respond to emergency situations, accidents, or other threats to public safety  
 17 occurring on the private land.

18 **Section 2.** That a NEW SECTION be added:

19 **41-2-49. Conservation officers--Entering private land--Liability.**

20 Nothing contained in this Act creates criminal or civil liability for a conservation  
 21 officer.