



2021 South Dakota Legislature  
**House Bill 1140**  
**ENROLLED**

AN ACT

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

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

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

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

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

- (1) If reasonable suspicion or probable cause exists that a violation of a law that the conservation officer is authorized to enforce has been, is being, or is about to be committed on the private land;
- (2) To dispatch crippled or distressed wildlife the conservation officer has personally and lawfully observed on the private land; or
- (3) To respond to emergency situations, accidents, or other threats to public safety occurring on the private land.

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

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

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

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

\_\_\_\_\_  
I certify that the attached Act originated in  
the:  
House as Bill No. 1140

\_\_\_\_\_  
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. 1140  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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