

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

525C0459

HOUSE BILL NO. 1115

Introduced by: Representatives Duenwald, Brown (Jarvis), Hanson, Jaspers, Lintz, and Wetz
and Senators Madden, Moore, and Staggers

1 FOR AN ACT ENTITLED, An Act to restrict the area in which unarmed retrieval of certain
2 small game is authorized.

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

4 Section 1. That § 41-9-8 be amended to read as follows:

5 41-9-8. ~~Any~~ The hunting, trapping, or fishing privileges of any person who knowingly enters
6 or remains on private property for the purpose of hunting, fishing, or trapping, in violation of
7 § 41-9-1 or 41-9-2, shall ~~have his hunting, trapping or fishing privileges~~ be revoked for one year
8 following ~~such~~ conviction for such an offense. If the person ~~is the holder of~~ holds a license to
9 hunt, trap, or fish, the court shall require the license holder to surrender and deliver the license
10 to the court to be returned to the Department of Game, Fish and Parks. For the purpose of this
11 section, the term "~~guilty~~" guilty, has the same meaning as the term "~~conviction~~", conviction, in
12 § 32-12-53.

13 Unarmed retrieval of lawfully taken small game from either private land or land controlled
14 by the Department of Game, Fish and Parks, or other public lands, is not a crime or petty
15 offense, ~~provided that~~ if such retrieval of small game does not involve the use of a motor vehicle
16 and if the person engaged in such unarmed retrieval does not proceed more than one hundred

1 yards away from the boundary of the land on which the person was authorized to hunt.

2 This section ~~may not be construed to~~ does not limit the civil remedies available to any

3 landowner.