

2025 South Dakota Legislature

House Bill 1215**AMENDMENT 1215A
FOR THE INTRODUCED BILL**

1 **An Act to provide rulemaking authority for the licensure of fishing guides, hunting**
2 **guides, and outfitters, and to provide a penalty.**

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

4 **Section 1. That a NEW SECTION be added to chapter 41-6:**

5 The Game, Fish and Parks Commission shall, by rule promulgated in accordance
6 with chapter 1-26, provide for the licensure of individuals who serve as fishing guides,
7 hunting guides, or outfitters, or any combination thereof. The rules must include:

- 8 (1) Permitted and restricted activities within each category of licensure;
9 (2) Criteria for licensure eligibility, including a requirement that ~~the an~~ applicant ~~for an~~
10 outfitter's license be a resident of this state;
11 (3) Fees for each type of license established under this section;
12 (4) Administrative and recordkeeping requirements for licensees;
13 (5) Conditions under which required records may be requested or inspected by the
14 commission;
15 (6) Conditions under which facilities and equipment may be inspected by the
16 Department;
17 (7) Operational guidelines for licensees;
18 (8) Requirements for liability insurance, including the nature, type, and amount;
19 (9) The process by which licensure applications are accepted and considered;
20 (10) The grounds upon which a licensure application may be denied;
21 (11) The grounds upon which a license may be suspended or revoked, and the
22 administrative procedures to be followed, including public notice and public
23 testimony; and
24 (12) Any other provisions deemed necessary by the commission to establish,
25 implement, and administer a program for the licensure of individuals who serve as
26 fishing guides, hunting guides, or outfitters, or any combination thereof.

1 Beginning July 1, 2026, any individual who serves as a fishing guide, a hunting
2 guide, or an outfitter, without having been issued a license in accordance with rules
3 promulgated under this section, is guilty of a Class 1 misdemeanor.

4 The requirements of this section do not apply to guiding activities occurring on a
5 shooting preserve, as defined in § 41-10-1, or to an individual who is the owner of property
6 and authorizes another to hunt on that property, provided the individual does not
7 otherwise engage in guiding activities.

AMENDED