**41:09:04:07.  Game fish and endangered species to be returned to waters -- Rough fish may be destroyed.** Game fish or threatened and endangered species defined in §§ 41:10:02:05 and 41:10:02:06 taken in any bait trap, net, or seine shall be returned to the waters from which taken as soon as possible to prevent visible stress and death and shall not be transported away from the water in which it was taken for any reason. Rough fish may be destroyed provided the fish is buried or disposed of in a manner conforming with SDCL 34A-7-6.

**Source:** SL 1975, ch 16, § 1; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 11 SDR 156, effective May 27, 1985; 15 SDR 103, effective January 19, 1989; 35 SDR 253, effective May 13, 2009.

**General Authority:** SDCL 41-2-18(1)(2)(3)(21).

**Law Implemented:** SDCL 41-2-18(1)(2)(3)(21).