

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

525R0487

HOUSE BILL NO. 1176

Introduced by: Representatives Moser, Brunner, Conzet, Curd, Feinstein, Frerichs, Hunhoff (Bernie), Lucas, Novstrup (David), Olson (Ryan), Romkema, Sly, Sorenson, and Vanderlinde and Senators Hunhoff (Jean), Abdallah, Adelstein, Ahlers, Bartling, Bradford, Brown, Dempster, Fryslie, Garnos, Gray, Hansen (Tom), Hanson (Gary), Haverly, Heidepriem, Jerstad, Kloucek, Knudson, Maher, Merchant, Miles, Nelson, Novstrup (Al), Olson (Russell), Rhoden, Tieszen, and Vehle

1 FOR AN ACT ENTITLED, An Act to authorize certain licensed hunters who are quadriplegic
2 to hunt using a designated hunter.

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

4 Section 1. That § 41-8-31 be amended to read as follows:

5 41-8-31. No person may at any time hunt, catch, take, attempt to take, or kill any small game
6 or game animal in any other manner than by shooting the same with a firearm, except:

7 (1) Game birds and animals may be taken with birds trained in falconry or with bow and
8 arrow;

9 (2) A person with a permanent or temporary disability who is missing an upper limb,
10 physically incapable of using an upper limb, or confined to a wheelchair may obtain
11 a disabled hunter permit to use a crossbow or other legal bow equipped with a draw-
12 lock device to take game birds and animals;



1 (3) A person who is legally blind, is legally licensed, possesses a disabled hunter permit,
2 and is physically present and participates in the hunt but cannot safely discharge a
3 firearm or bow and arrow, may claim game birds and animals taken by a designated
4 hunter in accordance with the license possessed by the hunter who is legally blind;
5 ~~and~~

6 (3A) A person who is quadriplegic, is legally licensed, possesses a disabled hunter permit,
7 and is physically present and participates in the hunt but cannot safely discharge a
8 firearm or bow and arrow, may claim game birds and animals taken by a designated
9 hunter in accordance with the license possessed by the hunter who is quadriplegic;
10 and

11 (4) A person with a permanent or temporary disability as defined in subdivision (2) of
12 this section who is legally licensed for a youth big game hunting season, possesses
13 a disabled hunter permit, and is physically present and participates in the hunt but is
14 unable to safely discharge a firearm or bow and arrow, may claim any big game
15 animal taken by a designated hunter in accordance with the youth big game license
16 possessed by the person with a permanent or temporary disability.

17 A violation of this section is a Class 2 misdemeanor.