

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

400S0220

HOUSE BILL NO. 1006

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Game, Fish and Parks

1 FOR AN ACT ENTITLED, An Act to authorize certain air guns for use in hunting certain
2 animals.

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 (1A) Cottontail rabbit, red squirrel, fox squirrel, grey squirrel, and any species defined as
10 a predator/varmint in § 41-1-1 may be taken with an air gun that complies with
11 specifications established by rules promulgated by the Game, Fish and Parks
12 Commission pursuant to chapter 1-26;

13 (2) A person with a permanent or temporary disability who is missing an upper limb,
14 physically incapable of using an upper limb, or confined to a wheelchair may obtain
15 a disabled hunter permit to use a crossbow or other legal bow equipped with a draw-



1 lock device to take game birds and animals;

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

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.