

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

552A0406

## HOUSE BILL NO. 1122

Introduced by: Representatives Matthews, Brown (Jarvis), Crisp, Konold, and Pummel and  
Senators Aker and Staggers

1 FOR AN ACT ENTITLED, An Act to restrict section-line hunting near cemeteries.

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

3 Section 1. That § 41-9-1.1 be amended to read as follows:

4 41-9-1.1. Except for controlled access facilities as defined in § 31-8-1, interstate highways,  
5 unimproved section lines not commonly used as public rights-of-way, and highways within parks  
6 or recreation areas or within or adjoining public shooting areas or game refuges posted for  
7 restriction of an applicable use as hereinafter set forth by the Department of Game, Fish and  
8 Parks, § 41-9-1 does not apply to fishing, trapping, or hunting on highways or other public  
9 rights-of-way within this state that meet the requirements of § 41-9-1.3. No person, except the  
10 adjoining landowner or any person receiving written permission from the adjoining landowner,  
11 may use such highways or rights-of-way for the purposes of hunting defined in this title within  
12 six hundred sixty feet of an occupied dwelling, a church, cemetery, schoolhouse, or livestock.  
13 No person, except the adjoining landowner or any person receiving written permission from the  
14 adjoining landowner, may use such highways or rights-of-way for the purpose of trapping within  
15 six hundred sixty feet of an occupied dwelling, church, cemetery, or schoolhouse. A violation

1 of this section is a Class 2 misdemeanor. If any person is convicted of knowingly discharging a  
2 firearm within six hundred sixty feet of any occupied dwelling, church, cemetery, or schoolhouse  
3 for which such distance has been clearly and accurately marked and posted, the court shall, in  
4 addition to any other penalty, revoke the person's hunting privileges for a period of one year  
5 from the date of conviction.