

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

400B0279

## SENATE BILL NO. 35

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

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the discharge of  
2 certain weapons at game while in or on a motor vehicle.

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

4 Section 1. That § 41-8-37 be amended to read as follows:

5 41-8-37. No person, who is in or on a motor vehicle ~~or any conveyance attached to a motor~~  
6 ~~vehicle which is on a public highway or in a field of unharvested grain or seed crops,~~ may take  
7 ~~game~~ or discharge a firearm or bow and arrow at any wild animals except coyotes, ~~rabbits, hares~~  
8 jackrabbits, rodents, and foxes.

9 ~~No person may discharge a firearm or other implement with which a big game animal could~~  
10 ~~be killed from a motor vehicle or any other means of transportation during a time and in a place~~  
11 ~~that big game hunting is permitted. However, licensed~~ Licensed hunters who are paraplegics or  
12 otherwise physically unable to walk with or without crutches, braces, or other mechanical  
13 support, and who have a disabled hunter permit, may shoot in fields ~~or,~~ woods, or from public  
14 roads from a standing stationary motor vehicle while hunting game animals or game birds in  
15 accordance with the conditions of the permit and rules promulgated by the Game, Fish and Parks

- 1 Commission pursuant to chapter 1-26.
- 2 A violation of this section is a Class 2 misdemeanor.