

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0209

HOUSE ENGROSSED NO. **HB1040** - 1/26/99

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 repeal certain restrictions regarding the hunting of black
2 bears, mountain lions, and wolves and to establish civil damages for the unlawful taking of
3 mountain lions.

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

5 Section 1. That § 41-8-2.1 be repealed.

6 ~~41-8-2.1. No person may hunt, kill, or capture black bears, mountain lions and wolves in~~
7 ~~South Dakota, except pursuant to § 41-6-29. A violation of this section is a Class 2~~
8 ~~misdemeanor.~~

9 Section 2. That § 41-1-5.1 be amended to read as follows:

10 41-1-5.1. Any person other than a minor under the age of sixteen years who willfully and
11 unlawfully kills, destroys, takes, or possesses in this state any animal designated by this section
12 is liable to the state for damages, which are five thousand dollars for each elk, mountain lion, or
13 buffalo; ten thousand dollars for each mountain goat or mountain sheep; one thousand dollars
14 for each deer, antelope, or bobcat. However, the return uninjured of the big game animal to the
15 place where captured, or to such other place as the Department of Game, Fish and Parks may
16 direct, ~~shall constitute~~ constitutes a discharge of such damages. However, the provisions of this

1 section do not apply to any person, who, after providing written notice received by the
2 Department of Game, Fish and Parks, forty-eight hours in advance, takes reasonable actions to
3 protect the person's land, livestock, or crops from serious and extraordinary damages caused by
4 elk, deer, ~~or~~ antelope, or mountain lion. Nothing in this section or any other provision of law
5 prevents any person from taking any action necessary to protect the personal safety of that
6 person or any other person who is in immediate danger of harm from a mountain lion or other
7 animal specified in this section.

1 **BILL HISTORY**

2 1/12/99 First read in House and referred to Agriculture and Natural Resources. H.J. 39

3 1/21/99 Scheduled for Committee hearing on this date.

4 1/21/99 Agriculture and Natural Resources Do Pass Amended, Passed, AYES 13, NAYS 0.

5 H.J. 104

6 1/26/99 Motion to Amend, Passed, AYES 52, NAYS 15. H.J. 196

7 1/26/99 House of Representatives Do Pass Amended, Passed, AYES 65, NAYS 3. H.J. 197