

AN ACT

ENTITLED, An Act to revise the procedures and causes for revocation of certain hunting, fishing, and trapping privileges, and to provide a penalty.

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

Section 1. That § 41-6-74.1 be amended to read as follows:

41-6-74.1. At the time of conviction for any one of the following offenses:

- (1) Violation of any game and fish law punishable as a Class 1 misdemeanor;
- (2) Violation of § 41-8-37, 41-9-1.2, 41-8-17 except for a landowner, occupant, or accompanying guests of the landowner or occupant on the owner's or occupant's land or a person employed by the Department of Game, Fish and Parks in the performance of the person's duty, or 41-12-12;
- (3) Violation of any other statute or rule pertaining to fishing, hunting, or possessing game or game fish without a license or during a closed season; or
- (4) Taking or possessing in excess of the lawful daily or possession limit:
  - (a) One or two paddlefish;
  - (b) Two or three turkeys;
  - (c) Four to six, inclusive, of any one game fish as regulated other than paddlefish;
  - (d) Four to six, inclusive, of any one small game animal as regulated;

the person's applicable hunting, fishing, or trapping privileges in South Dakota are automatically revoked without further hearing for a period of one year following date of conviction.

Section 2. That § 41-6-74.2 be amended to read as follows:

41-6-74.2. At the time of conviction for taking or possessing in excess of the lawful daily or possession limit any of the following:

- (1) Three or more paddlefish;
- (2) Four or more turkeys;

- (3) Seven or more of any one game fish as regulated other than paddlefish;
- (4) Seven or more of any one small game animal as regulated; or
- (5) Two or more big game animals, except turkeys;

the person's applicable hunting, fishing, or trapping privileges in South Dakota are automatically revoked without further hearing for a period of three years following date of conviction.

Section 3. That § 41-6-74.3 be amended to read as follows:

41-6-74.3. If a person's privilege has been revoked pursuant to § 41-6-74.1 or 41-6-74.2, the person, if present at the time of conviction, shall immediately surrender and deliver the license to the court or clerk of courts at which time the revocation shall be noted on the face of the license by the court or clerk of courts and the license returned to the Department of Game, Fish and Parks. If the person is not present at the time of conviction, the person shall within fourteen days of the conviction deliver and return the license to the Department of Game, Fish and Parks. A violation of this section is a Class 2 misdemeanor. If the person has a combination license, the revocation shall be noted on the face of the license and the license shall be returned to the person to remain valid for the other purposes permitted by the license. For the purposes of §§ 41-6-74.1 and 41-6-74.2, the term, conviction, is defined as provided in § 32-12-53.

An Act to revise the procedures and causes for revocation of certain hunting, fishing, and trapping privileges, and to provide a penalty.

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I certify that the attached Act originated in the

SENATE as Bill No. 30

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 30  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State