

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

282H0438

HOUSE BILL NO. 1127

Introduced by: Representatives Juhnke, Duenwald, and Jensen and Senator Koskan

1 FOR AN ACT ENTITLED, An Act to place certain safety zone restrictions on hunting in state-
2 owned railroad rights-of-way.

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

4 Section 1. That chapter 41-9 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No person, except the adjoining landowner, or any person receiving written permission from
7 the adjoining landowner, may use any state-owned railroad right-of-way for the purposes of
8 hunting defined in this title within six hundred sixty feet of an occupied dwelling, a church,
9 schoolhouse, or livestock. A violation of this section is a Class 2 misdemeanor. If any person is
10 convicted of knowingly discharging a firearm from within a state-owned railroad right-of-way
11 and within six hundred sixty feet of any occupied dwelling, church, or schoolhouse for which
12 such distance has been clearly and accurately marked and posted, the court shall, in addition to
13 any other penalty, revoke the person's hunting privileges for a period of one year from the date
14 of conviction.

