

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

400I0275

SENATE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1020** -

02/18/2003

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 authorize the Game, Fish and Parks Commission to
2 revise certain provisions related to the licensing of and hunting methods used by disabled
3 hunters.

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

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

6 41-8-37. No person, who is in or on a motor vehicle, may discharge a firearm or bow and
7 arrow at any wild animals except coyotes, jackrabbits, rodents, skunks, badgers, raccoons, and
8 foxes.

9 Licensed hunters who are paraplegics or otherwise physically unable to walk with or without
10 crutches, braces, or other mechanical support; or who are otherwise considered to be limited or
11 impaired in their ability to walk, and who have been issued a disabled hunter permit by the
12 department, may shoot in fields, woods, or from public roads from a stationary motor vehicle
13 while hunting game animals or game birds in accordance with the conditions of the permit and
14 rules promulgated by the Game, Fish and Parks Commission ~~pursuant to chapter 1-26.~~ The



1 commission shall promulgate rules pursuant to chapter 1-26 to establish the definition of disabled
2 hunter; the eligibility criteria, application, and approval procedures for issuance of a disabled
3 hunter permit; the duration of a permit; and the extent of the permitted shooting activities.

4 A violation of this section is a Class 2 misdemeanor.

5 Section 2. That § 32-20-6.6 be amended to read as follows:

6 32-20-6.6. No person, other than a law enforcement officer or conservation officer, or any
7 person on the person's own land or land leased by the person, may operate or ride on any
8 motorcycle or off-road vehicle with any firearm in the person's possession unless the firearm is
9 completely unloaded and within a carrying case which encloses the entire firearm. However, this
10 section does not apply to any person who is carrying a pistol and possesses a permit to carry a
11 concealed pistol issued pursuant to chapter 23-7. This section does not apply to any person who
12 holds a permit issued pursuant to § 41-8-37 while engaged in hunting from an off-road vehicle
13 in accordance with the provisions of the permit. This section shall be enforced by all law
14 enforcement officers including conservation officers; ~~notwithstanding the provisions of~~
15 ~~§ 41-15-10.1.~~ A violation of this section is a Class 2 misdemeanor.