

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

381I0004

HOUSE BILL NO. 1108

Introduced by: Representatives Fryslie, Elliott, and Rhoden and Senator Greenfield

1 FOR AN ACT ENTITLED, An Act to authorize landowners and operators to hunt big game
2 from certain public highways.

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

4 Section 1. That § 41-9-1.2 be amended to read as follows:

5 41-9-1.2. No person may hunt big game on interstate highways or controlled access facilities
6 as defined in § 31-8-1 within this state.

7 No person may discharge a rifle or bow and arrow at a big game animal from within the
8 right-of-way of an improved public highway. However, any the owner or operator of land
9 adjoining the public highway may discharge a rifle or bow and arrow from within the public
10 highway at a big game animal that is located on such adjoining land. Any person who possesses
11 a disabled hunter permit issued by the department to shoot from a vehicle as provided in
12 § 41-8-37 may hunt on public rights-of-way adjoining publicly-owned hunting areas and on
13 rights-of-way adjoining private lands with the written permission of the owner or lessee.

14 Retrieval of lawfully taken big game is permitted on all public rights-of-way.

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

