

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

831I0495

HOUSE BILL NO. 1140

Introduced by: Representatives Juhnke and Garnos and Senators Koskan and Duenwald

1 FOR AN ACT ENTITLED, An Act to provide for reduced hunting license fees for hunters who
2 choose not to hunt in public rights-of-way and to dedicate certain hunting license revenues
3 for public access and game production purposes.

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

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

7 Any resident who applies for or purchases any hunting license authorizing the resident to
8 hunt any species that may be hunted in a public right-of-way governed by § 41-9-1.1 may choose
9 whether or not he or she is to be authorized to hunt in such rights-of-way. The license shall
10 indicate whether or not the licensee is authorized to hunt in such rights-of-way. If the licensee
11 is not authorized to hunt in such rights-of-way, the license fee is reduced by five dollars. For each
12 hunting license for which hunting in such rights-of-way is authorized, two dollars and fifty cents
13 of the license fee shall be used to provide additional public hunting access and two dollars and
14 fifty cents shall be used for game production or stocking in public hunting areas. Any person who
15 hunts in a public right-of-way governed by § 41-9-1.1 who is not authorized to hunt in such a
16 public right-of-way is guilty of hunting without a license and is subject to the penalties specified



1 in this Title for that offense.

2 Section 2. That chapter 41-9 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 Any nonresident who applies for or purchases any hunting license authorizing the nonresident
5 to hunt any species that may be hunted in a public right-of-way governed by § 41-9-1.1 may
6 choose whether or not he or she is to be authorized to hunt in such rights-of-way. The license
7 shall indicate whether or not the licensee is authorized to hunt in such rights-of-way. If the
8 licensee is not authorized to hunt in such rights-of-way, the license fee is reduced by ten dollars.
9 For each hunting license for which hunting in such rights-of-way is authorized, five dollars of the
10 license fee shall be used to provide additional public hunting access and five dollars shall be used
11 for game production or stocking in public hunting areas. Any person who hunts in a public right-
12 of-way governed by § 41-9-1.1 who is not authorized to hunt in such a public right-of-way is
13 guilty of hunting without a license and is subject to the penalties specified in this Title for that
14 offense.