

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

664J0630

HOUSE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1258** -

02/10/2004

Introduced by: Representatives Rhoden, Deadrick (Thomas), Dykstra, Elliott, Hanson, Hunhoff, Juhnke, Lintz, McCoy, Novstrup, Olson (Ryan), Peterson (Jim), and Sigdestad and Senators Duenwald, Kleven, Koskan, and Napoli

1 FOR AN ACT ENTITLED, An Act to restrict the entry of conservation officers onto certain
2 private land without permission.

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

4 Section 1. That chapter 41-2 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No conservation officer may, in the course of performing the ordinary duties of a
7 conservation officer, enter any private land unless the conservation officer has the permission
8 of the landowner or the lessee. However, any conservation officer may enter any private land
9 without permission:

10 (1) If reasonable suspicion or probable cause exists that a violation of a law that the
11 conservation officer is authorized to enforce has been, is being, or is about to be
12 committed;

13 (2) To investigate a report of illegal hunting, fishing, or trapping activity;

14 (3) To dispatch crippled or distressed wildlife;



- 1 (4) To respond to emergency situations, accidents, or other threats to public safety.