

AN ACT

ENTITLED, An Act to revise certain provisions relating to aerial hunting.

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

Section 1. That § 41-8-39.1 be amended to read as follows:

41-8-39.1. Notwithstanding the provisions of § 41-8-39, any person occupying land as an owner or lessee may apply to the Department of Game, Fish and Parks for a permit to kill or attempt to kill coyotes or foxes from an aircraft to protect or aid in the protection of the owner's or lessee's land, livestock, domesticated animals, or crops, water, wildlife, or human life as permitted under PL 92-159, as amended to January 1, 2004, or § 40-36-9. A permit may not be issued for the purpose of sport hunting. The permit authorizes the owner or lessee, or a person who holds a valid aerial hunting permit issued by the department and who is under contract with the owner or lessee, to kill or attempt to kill coyotes or foxes from the aircraft on the occupied land and up to four miles onto the land of the immediate adjoining neighbor if the owner or lessee has first obtained the written consent of the owner or lessee of the adjoining land. The Game, Fish and Parks Commission shall promulgate rules pursuant to chapter 1-26 to establish the criteria and eligibility of the permittee and conditions under which the permit is granted, number and species of animals to be hunted and killed, location where permitted, reports required of the permittee, and other rules to implement the provisions of this section.

An Act to revise certain provisions relating to aerial hunting.

I certify that the attached Act
originated in the

HOUSE as Bill No. 1300

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1300

File No. _____

Chapter No. _____

Received at this Executive Office
this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State