

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

615J0689

HOUSE BILL NO. 1300

Introduced by: Representatives Klaudt, Begalka, Deadrick (Thomas), Fryslie, Gassman, Juhnke, Rave, Rhoden, Rounds, Teupel, and Van Gerpen and Senators Bogue, Diedrich (Larry), and Duenwald

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to aerial hunting.

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

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

4 41-8-39.1. Notwithstanding the provisions of § 41-8-39, any person occupying land as an
5 owner or lessee may ~~make application~~ apply to the Department of Game, Fish and Parks to
6 ~~obtain~~ for a permit to kill or attempt to kill coyotes or foxes from an aircraft to protect or aid in
7 the protection of the owner's or lessee's land, livestock, domesticated animals, or crops, water,
8 wildlife, or human life as permitted under PL 92-159, as amended to January 1, ~~1989~~ 2004, or
9 § 40-36-9. A permit may not be issued for the purpose of sport hunting. The permit authorizes
10 the owner or lessee or a person under contract with the owner or lessee to kill or attempt to kill
11 coyotes or foxes from the aircraft on the occupied land and up to ~~two~~ four miles onto the land
12 of the immediate adjoining neighbor if the owner or lessee has first obtained the written consent
13 of the owner or lessee of the adjoining land. The Game, Fish and Parks Commission shall
14 promulgate rules pursuant to chapter 1-26 to establish the criteria and eligibility of the permittee
15 and conditions under which the permit is granted, number and species of animals to be hunted



- 1 and killed, location where permitted, reports required of the permittee, and other rules to
- 2 implement the provisions of this section.