

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

285L0208

## SENATE BILL NO. 122

Introduced by: Senators Duenwald, Hansen (Tom), Hanson (Gary), Koskan, Lintz, McNenny, Napoli, and Peterson (Jim) and Representatives Hargens, Bradford, Brunner, Dennert, Hackl, Haley, Haverly, Howie, Jensen, Kroger, Lange, Rhoden, Sigdestad, and Street

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; or



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