

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0273

HOUSE BILL NO. 1023

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Game, Fish and Parks

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the definition of big
2 game and the possession, transportation, and sale of big game meat and animal parts.

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

4 Section 1. That subdivision (4) of § 41-1-1 be amended to read as follows:

5 (4) "Big game," all cloven-hoofed wild animals, wild mountain lion, wild black bear, and
6 wild turkey. The term includes facsimiles of big game used for law enforcement
7 purposes, but does not include any captive nondomestic animal of the mammalia
8 class and the products thereof regulated by the Animal Industry Board under Title 40;

9 Section 2. That § 41-14-12 be amended to read as follows:

10 41-14-12. It is a Class 1 misdemeanor to purchase, barter, or sell the meat, internal organs,
11 or paws of any big game animal ~~but nothing in this section shall prohibit the purchase, sale, or~~
12 ~~barter of elk meat by the Department of Game, Fish and Parks and such elk meat sold by the~~
13 ~~department may be resold.~~

14 Section 3. That § 41-14-13 be amended to read as follows:

15 41-14-13. Subject to the provisions provided for in this section, the skins, including bear



1 skins with paws attached, heads, claws, and antlers of any big game animal lawfully caught,
2 taken, killed, or possessed may be sold. It is unlawful to buy, sell, or attempt to buy or sell
3 antlers in the velvet stage unless those antlers are tagged or marked in accordance with ~~the~~
4 ~~provisions of rules promulgated pursuant to chapter 1-26 by the Game, Fish and Parks~~
5 Commission. A violation of any provision of this section is a Class 1 misdemeanor.

6 Section 4. That § 34A-8-10 be amended to read as follows:

7 34A-8-10. A species of wildlife appearing on any of the lists enumerated in § 34A-8-9 may
8 enter South Dakota from another state or from a point outside the territorial limits of the United
9 States and may be transported, possessed, ~~and sold, and purchased~~ in accordance with the terms
10 of a permit issued pursuant to rules promulgated by the Game, Fish and Parks Commission
11 pursuant to chapter 1-26. However, a person may transport into South Dakota or otherwise
12 possess, sell, or purchase within the state any animal or parts thereof appearing on any of the
13 lists enumerated in § 34A-8-9 that were lawfully taken or acquired in another state or lawfully
14 taken or acquired from a point outside the territorial limits of the United States if the items are
15 accompanied by the appropriate license, documentation, Convention on International Trade in
16 Endangered Species (CITES) permit, or CITES tag. It is a Class 2 misdemeanor to transport,
17 possess, sell or purchase a species of wildlife appearing on any of the lists enumerated in § 34A-
18 8-9 in violation of the conditions of a permit, or to transport, possess, sell, or purchase any part
19 thereof, in violation of the provisions of this section. The provisions of this section do not apply
20 to any captive nondomestic animal of the mammalia class and the products thereof regulated
21 by the Animal Industry Board under Title 40.