

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

516P0609

HOUSE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **HB 1263** - 2/12/2008

Introduced by: Representatives Buckingham, Boomgarden, Brunner, Davis, DeVries, Hackl, Hargens, Howie, Juhnke, Koistinen, Olson (Betty), and Wick and Senators Greenfield, Abdallah, Maher, Peterson (Jim), and Schmidt (Dennis)

1 FOR AN ACT ENTITLED, An Act to establish a hunter mentoring program, to authorize
2 hunting under certain conditions by persons less than sixteen years of age, and to authorize
3 the Game, Fish and Parks Commission to promulgate rules.

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

5 Section 1. That chapter 41-6 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 Notwithstanding any provisions of Title 41 to the contrary, a resident of this state who is at
8 least ten and less than sixteen years of age is not required to possess a hunting license in order
9 to hunt if accompanied by a hunting mentor. A hunting mentor is the child's parent or guardian
10 or any other competent adult who has the written consent of the child's parent or guardian. The
11 hunting mentor shall be a resident of this state, shall be unarmed except as provided in this
12 section, shall have successfully completed a hunter safety or hunter education course that meets
13 the requirements of chapter 41-7, and shall possess a valid hunting license for the game being
14 hunted. A child who hunts pursuant to this section shall be under the immediate physical control



1 and direct supervision of a hunting mentor at the time the child discharges a firearm or operates
2 a bow and arrow in the act of hunting. A hunting mentor may accompany no more than one
3 mentored child at any one time. No hunting party that includes a mentored child may include
4 more than six persons, regardless of whether or not members of the hunting party are hunting
5 or possess or operate firearms. A child who hunts pursuant to this section is subject to all
6 requirements, restrictions, and penalties specified in this title and in the rules promulgated
7 pursuant to this title with respect to the species being hunted, except that the combined number
8 of animals taken or possessed by the child and the hunting mentor may not exceed the number
9 of animals authorized under licenses held by the hunting mentor. A mentored child may not take
10 big game under the provisions of this section except antlerless deer, turkey, and doe-fawn
11 antelope. No big game may be taken by a mentored child unless the child's parent or legal
12 guardian has been issued a license that designates the child as a mentored child who is
13 authorized to exercise the privileges granted by the license. The license is valid only for the
14 mentored child and is not transferable to another person. Application for or issuance of such
15 licenses does not affect the eligibility of the parent or legal guardian for any other big game
16 license. The requirement in this section that the hunting mentor be unarmed does not prohibit
17 the hunting mentor from possessing a permitted concealed pistol or other legally possessed
18 handgun.

19 The Game, Fish and Parks Commission shall promulgate rules pursuant to chapter 1-26 to
20 establish criteria and conditions governing the hunter mentoring program established in this Act.