



# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

295I0064

HOUSE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1209** -

02/06/2003

Introduced by: Representatives Fryslie, Elliott, Juhnke, and Klaudt and Senators Greenfield and Abdallah

1 FOR AN ACT ENTITLED, An Act to revise certain restrictions on the use of artificial lights to  
2 hunt wild animals.

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

4 Section 1. That chapter 41-8 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Notwithstanding the provisions of § 41-8-17, between 10 p.m. and sunrise, from September  
7 first to January thirty-first, inclusive, no person may cast the rays of a spotlight, headlight, or  
8 other artificial light in any field, pasture, woodland, forest, or prairie to spot, locate, take, or  
9 attempt to take any wild animal except to take raccoons under the provisions of § 41-8-17. It  
10 is not a violation of this section for a landowner or occupant and one guest to use a spotlight,  
11 headlight, or other artificial light on the owner's or occupant's land, or for any person employed  
12 by the Department of Game, Fish and Parks to use night vision equipment or artificial lights  
13 while in the performance of the person's duty. Any violation of this section is a Class 2  
14 misdemeanor.



1 Section 2. Section 1 of this Act is repealed on July 1, 2005.

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

744I0741

## HOUSE TAXATION COMMITTEE ENGROSSED NO. **HB 1242** - 02/06/2003

Introduced by: Representatives Konold and Solum and Senator Schoenbeck

1 FOR AN ACT ENTITLED, An Act to permit counties to revise property tax levies that were  
2 lowered to maintain compliance with general fund balance carryover requirements.

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

4 Section 1. That chapter 10-13 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Notwithstanding the provisions of § 10-13-35, if any county has decreased the total amount  
7 of revenue payable from taxes on real property since 1998 to comply with the provisions § 7-21-  
8 18.1 after receiving federal funds for disaster relief, such county may increase the total amount  
9 of revenue payable from taxes on real property in 2004 to any previous amount of revenue  
10 payable since 1999. For taxes payable in 2004, the county auditor shall calculate the maximum  
11 amount of revenue payable that the county may have requested based on growth and the index  
12 factor pursuant to § 10-13-35 and apply such growth and index factor to the previous amount.



# State of South Dakota

SEVENTY-EIGHTH SESSION  
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400I0274

## HOUSE JUDICIARY COMMITTEE ENGROSSED NO. **SB 22** - 01/29/2003

Introduced by: The Committee on Judiciary at the request of the Department of Social Services

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the appearance by  
2 a parent in person, by counsel, or by telephone for a hearing to voluntarily terminate parental  
3 rights.

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

5 Section 1. That § 25-5A-14 be amended to read as follows:

6 25-5A-14. The personal presence of one parent at the hearing is required for jurisdictional  
7 purposes. However, any for good cause shown, the court may permit the parent to appear  
8 telephonically. Any other person whose consent is necessary, may appear by filing with the court  
9 a power of attorney. If the Department of Social Services or a licensed child placement agency  
10 has custody of a child by written agreement of a parent with power of attorney to consent, the  
11 secretary or an authorized agent may appear and consent. Notwithstanding the foregoing  
12 provisions of this section, due regard shall be given to the Indian Child Welfare Act (25 U.S.C.  
13 Secs. 1901-1963) as in effect on January 1, 2003, if applicable.

