

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0276

HOUSE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1025** -

01/25/2007

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 relating to the definition of
2 predator/varmint and predator/varmint licenses.

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

4 Section 1. That subdivision (21) of § 41-1-1 be amended to read as follows:

5 (21) "Predator/varmint," coyote, gray fox, red fox, skunk, ~~English house sparrow,~~
6 ~~European starling,~~ gopher, ground squirrel, chipmunk, jackrabbit, marmot, ~~unbanded~~
7 ~~undomesticated pigeon (rock dove),~~ porcupine, crow, and prairie dog;

8 Section 2. That § 41-6-30 be amended to read as follows:

9 41-6-30. Except as provided in this section, it is a Class 2 misdemeanor for a nonresident
10 to hunt, take, or kill ~~jackrabbits, prairie dogs, gophers, ground squirrels, chipmunks, coyotes,~~
11 ~~red fox, grey fox, skunk, crow, porcupine, English house sparrow, European starling, unbanded~~
12 ~~undomesticated pigeon (rock dove), or marmot,~~ species defined as a predator/varmint in § 41-1-
13 1 without a nonresident predator/varmint license or in violation of the conditions of the license
14 or the rules of the Game, Fish and Parks Commission.



1 A nonresident predator/varmint license, notwithstanding the provisions of § 41-6-24, allows
2 a nonresident to take or kill ~~jackrabbits, prairie dogs, gophers, ground squirrels, chipmunks,~~
3 ~~coyotes, red fox, grey fox, skunk, English house sparrow, European starling, unbanded~~
4 ~~undomesticated pigeon (rock dove), and within the lawful season, crow, porcupine, and marmot,~~
5 species defined as a predator/varmint in § 41-1-1, except by means of aerial hunting or as
6 prohibited by statute or rule.

7 However, if a nonresident possesses a nonresident small game license, a nonresident
8 waterfowl license, a nonresident big game license, a nonresident shooting preserve license while
9 on a licensed shooting preserve, or a nonresident turkey license as provided in § 41-6-17, 41-6-
10 18.1, 41-6-20, or 41-6-28, the nonresident need not acquire the nonresident predator/varmint
11 license as provided in this section to hunt the species enumerated by this section in the manner
12 and places permitted. A nonresident small game license, a nonresident waterfowl license, a
13 nonresident big game license, or a nonresident turkey license is valid for hunting those animals
14 permitted by the nonresident predator/varmint license from date of purchase until the end of the
15 license year as provided by rules promulgated by the Game, Fish and Parks Commission
16 pursuant to chapter 1-26. However, a nonresident shooting preserve license is valid for hunting
17 ~~predators and varmints~~ species defined as a predator/varmint in § 41-1-1 on a licensed shooting
18 preserve during the shooting preserve season.

19 Section 3. That § 41-6-80 be amended to read as follows:

20 41-6-80. Except as provided in this section, it is a Class 2 misdemeanor for a resident to
21 hunt, take, or kill ~~jackrabbits, prairie dogs, gophers, ground squirrels, chipmunks, coyotes, red~~
22 ~~fox, grey fox, skunk, raccoons, badgers, crow, porcupine, brown headed cow birds, English~~
23 ~~house sparrow, European starling, unbanded undomesticated pigeon (rock dove), or marmot,~~
24 or species defined as a predator/varmint in § 41-1-1 without a resident predator/varmint license

1 or in violation of the conditions of the license or the rules of the Game, Fish and Parks
2 Commission. A resident predator/varmint license allows a resident to take or kill ~~jackrabbits,~~
3 ~~prairie dogs, gophers, ground squirrels, chipmunks, coyotes, red fox, grey fox, skunk,~~ raccoons,
4 badgers, ~~brown-headed cow birds, English house sparrow, European starling, unbanded~~
5 ~~undomesticated pigeon (rock dove), and within the lawful season, crow, porcupine, and marmot~~
6 or species defined as a predator/varmint in § 41-1-1, except by means of aerial hunting or as
7 prohibited by statute or rule. A resident of this state is not required to secure a predator/varmint
8 license to hunt, take, or kill a predator/varmint on lands owned or operated by the resident.

9 However, if a resident possesses a resident small game license, a resident youth small game
10 license, a resident big game license, a license to take fur-bearing animals, or a resident turkey
11 license, the resident need not acquire the resident predator/varmint license as provided in this
12 section to hunt the species enumerated by this section in the manner and places permitted. A
13 resident small game license, a resident youth small game license, a resident big game license,
14 a license to take fur-bearing animals, or a resident turkey license is valid for hunting those
15 animals permitted by the resident predator/varmint license from date of purchase until the end
16 of the license year as provided by rules promulgated by the Game, Fish and Parks Commission
17 pursuant to chapter 1-26.