

## 2022 South Dakota Legislature

**House Bill 1112****AMENDMENT 1112B FOR THE INTRODUCED BILL**

1 **An Act to authorize the use of crossbows by senior resident hunters.**

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

3

4 **~~Section 1. That § 41-6-10 be AMENDED:~~**

5 ~~41-6-10. Licenses, permits, and stamps issued under this title are classified as follows:~~

6 ~~(1) Disabled hunter permit;~~

7 ~~(2) Export bait dealer license;~~

8 ~~(2A)(3) Fall three-day temporary nonresident waterfowl license;~~

9 ~~(3)(4) ————— Fur dealer's license;~~

10 ~~(4)(5) ————— Hoop net, trap, or setline license;~~

11 ~~(5)(6) ————— License for breeding and domesticating animals and birds;~~

12 ~~(6)(7) ————— Resident license to take fur-bearing animals;~~

13 ~~(6A)(8) Reciprocal nonresident license to take fur-bearing animals;~~

14 ~~(7)(9) ————— Nonresident big game license;~~

15 ~~(8)(10) Nonresident fishing license;~~

16 ~~(9)(11) Nonresident predator/varmint license;~~

17 ~~(10) ————— Repealed by SL 1999, ch 213, § 3.~~

- 1 ~~(11)(12) Nonresident retail bait dealer license;~~
- 2 ~~(12)(13) Nonresident shooting preserve license;~~
- 3 ~~(13)(14) Nonresident small game license;~~
- 4 ~~(14)(15) Nonresident and resident migratory bird certification permit;~~
- 5 ~~(15)(16) Nonresident wholesale bait dealer license;~~
- 6 ~~(16)(17) Nonresident wild turkey license;~~
- 7 ~~(17)(18) Nursing facility group fishing license;~~
- 8 ~~(18)(19) Park user's license;~~
- 9 ~~(19)(20) Permit for transportation of big game animal;~~
- 10 ~~(20)(21) Private fish hatchery license;~~
- 11 ~~(21)(22) Resident big game license;~~
- 12 ~~(22)(23) Resident elk license;~~
- 13 ~~(23)(24) Resident fishing license and resident senior fishing license;~~
- 14 ~~(24) Repealed by SL 1999, ch 213, § 3.~~
- 15 ~~(25) Resident retail bait dealer license;~~
- 16 ~~(26) Resident small game license and resident youth small game license;~~
- 17 ~~(27) Resident predator/varmint license;~~
- 18 ~~(28) Resident wholesale bait dealer license;~~
- 19 ~~(29) Resident wild turkey license;~~
- 20 ~~(30) Scientific collector's license;~~
- 21 ~~(31) Senior hunter crossbow permit;~~
- 22 ~~(32) Special nonresident waterfowl license;~~

1 ~~(32)~~ ~~Repealed by SL 1999, ch 213, § 3.~~

2 ~~(33)~~ ~~Taxidermist's license;~~

3 ~~(33A)(34)~~ ~~Spring snow goose temporary nonresident license;~~

4 ~~(33B)(35)~~ ~~Early fall Canada goose temporary nonresident license; and~~

5 ~~(34)(36)~~ ~~Temporary fishing and hunting licenses.~~

6 ~~The rights and privileges of such licensees are set forth in §§ 41-6-12 to 41-6-45.1, inclusive,~~  
7 ~~and in § 41-17-13.~~

8 ~~The Game, Fish and Parks Commission shall promulgate rules, pursuant to chapter 1-26, to~~  
9 ~~set the fees, eligibility, and duration for such licenses.~~

10 **Section 1. That § 41-8-31 be AMENDED:**

11 **41-8-31.** No person may at any time hunt, catch, take, attempt to take, or kill any  
12 small game or game animal in any other manner than by shooting the same with a firearm,  
13 except:

14 (1) Game birds and animals may be taken with birds:

15 (a) Birds trained in falconry or with bow and arrow;

16 (b) Bow and arrow; or

17 (c) A crossbow, equipped with a draw-lock device, if:

18 ~~(i) The the person is a resident of this state and at least sixty-five years~~  
19 ~~of age; and~~

20 ~~(ii) In possession of a senior hunter crossbow permit, issued by the~~  
21 ~~department;~~

22 ~~(1A)(2)~~ Cottontail rabbit, red squirrel, fox squirrel, grey squirrel, and any species defined  
23 as a predator/varmint in § 41-1-1 may be taken with an air gun that complies with  
24 specifications established by rules promulgated by the Game, Fish and Parks  
25 Commission pursuant to chapter 1-26;

26 ~~(2)(3)~~ A person with a permanent or temporary disability who is missing an upper limb,  
27 physically incapable of using an upper limb, or confined to a wheelchair, may obtain  
28 a disabled hunter permit to use a crossbow or other legal bow, equipped with a  
29 draw-lock device, to take game birds and animals;

1 ~~(3)~~(4) A person who is legally blind, is legally licensed, possesses a disabled hunter  
2 permit, and is physically present and participates in the hunt but cannot safely  
3 discharge a firearm or bow and arrow, may claim game birds and animals taken  
4 by a designated hunter in accordance with the license possessed by the hunter who  
5 is legally blind;

6 ~~(3A)~~(5) A person who is quadriplegic, is legally licensed, possesses a disabled hunter  
7 permit, and is physically present and participates in the hunt but cannot safely  
8 discharge a firearm or bow and arrow, may claim game birds and animals taken  
9 by a designated hunter in accordance with the license possessed by the hunter who  
10 is quadriplegic; and

11 ~~(4)~~(6) A person with a permanent or temporary disability as defined in subdivision (2)  
12 of described in this section, who is legally licensed for a youth big game hunting  
13 season, possesses a disabled hunter permit, and is physically present and  
14 participates in the hunt but is unable to safely discharge a firearm or bow and  
15 arrow, may claim any big game animal taken by a designated hunter in accordance  
16 with the youth big game license possessed by the person with a permanent or  
17 temporary disability.

18 A violation of this section is a Class 2 misdemeanor.

19 **Section 2. That § 41-8-31.1 be AMENDED:**

20 **41-8-31.1.** The provisions of Notwithstanding § 41-8-31 ~~notwithstanding~~, any:

21 ~~(1)~~ Any person who holds a big game license to take a big game animal during the  
22 firearm season may take the animal by using a crossbow in lieu of a firearm; and

23 ~~(2)~~ Any person who holds a license to take a big game animal during archery season  
24 may take the animal by using a crossbow, in lieu of any other legal bow, if:

25 ~~(a)~~ The the person is a resident of this state and at least sixty-five years of  
26 age; and

27 ~~(b)~~ In possession of a senior hunter crossbow permit, issued by the  
28 department.

29 As used in this section, the term, crossbow, means a device for propelling a bolt  
30 by means of traverse limbs mounted on a stock and a string. The crossbow may be drawn,  
31 held, and released by a mechanical device and ~~shall~~ must have at least one hundred  
32 twenty-five pounds pull and have a working mechanical safety.