

AN ACT

ENTITLED, An Act to authorize certain air guns for use in hunting certain animals.

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

Section 1. That § 41-8-31 be amended to read as follows:

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

- (1) Game birds and animals may be taken with birds trained in falconry or with bow and arrow;
- (1A) Cottontail rabbit, red squirrel, fox squirrel, grey squirrel, and any species defined as a predator/varmint in § 41-1-1 may be taken with an air gun that complies with specifications established by rules promulgated by the Game, Fish and Parks Commission pursuant to chapter 1-26;
- (2) A person with a permanent or temporary disability who is missing an upper limb, physically incapable of using an upper limb, or confined to a wheelchair may obtain a disabled hunter permit to use a crossbow or other legal bow equipped with a draw-lock device to take game birds and animals;
- (3) A person who is legally blind, is legally licensed, possesses a disabled hunter permit, and is physically present and participates in the hunt but cannot safely discharge a firearm or bow and arrow, may claim game birds and animals taken by a designated hunter in accordance with the license possessed by the hunter who is legally blind;
- (3A) A person who is quadriplegic, is legally licensed, possesses a disabled hunter permit, and is physically present and participates in the hunt but cannot safely discharge a firearm or bow and arrow, may claim game birds and animals taken by a designated hunter in accordance with the license possessed by the hunter who is quadriplegic; and

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

A violation of this section is a Class 2 misdemeanor.

An Act to authorize certain air guns for use in hunting certain animals.

I certify that the attached Act
originated in the

HOUSE as Bill No. 1006

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1006

File No. _____

Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
SS.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State