



2021 South Dakota Legislature  
**House Bill 1047**  
**ENROLLED**

AN ACT

**ENTITLED An Act to provide limited deer and antelope licenses to landowners.**

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

**Section 1.** That § 41-6-19.3 be AMENDED.

**41-6-19.3. Resident landowner--Limited deer or antelope license--  
Promulgation of rules.**

If a resident owns or leases, for agricultural purposes, the minimum acreage necessary to qualify for landowner preference, in accordance with rules promulgated by the Game, Fish and Parks Commission and if the resident has not, pursuant to § 41-6-19, received a big game license that permits the harvest of a buck during the west river deer season, east river deer season, Black Hills deer season, or firearm antelope season set by the commission in accordance with § 41-2-18, the resident may obtain a landowner-on-own-land license. The commission shall promulgate rules, in accordance with chapter 1-26, to establish the types of big game animals that are eligible to harvest with a landowner-on-own-land license. The license entitles the resident to hunt on land owned or leased by the resident within any unit, for the specified hunting season.

If a member of the resident's immediate family is qualified to obtain a license under this section and if the member has not, pursuant to § 41-6-19, received a big game license that permits the harvest of a buck during the west river deer season, east river deer season, Black Hills deer season, or firearm antelope season set by the commission in accordance with § 41-2-18, the member may obtain a landowner-on-own-land license. The license entitles the member to hunt on land owned or leased by the resident within any unit, for the specified hunting season.

Upon receipt of the application prescribed by the Department of Game, Fish and Parks, and payment of the applicable fee, the department shall issue a landowner-on-own-land license that restricts the holder to the taking of the big game animals, as designated on the license, from land owned or leased by the resident.

The commission shall promulgate rules, in accordance with chapter 1-26, to establish fees for licenses issued under this section.

For purposes of this section, an immediate family member means the resident's spouse or a child who resides with the resident.

**Section 2.** That § 41-6-19.4 be AMENDED.

**41-6-19.4. Nonresident landowner--Limited deer or antelope license--  
Promulgation of rules.**

If a nonresident owns, for agricultural purposes, at least six hundred forty contiguous acres west of the Missouri River, if the nonresident is an owner-operator of the land, and if the nonresident has not, pursuant to § 41-6-20, received a big game license that permits the harvest of a buck during the west river deer season or firearm antelope season set by the commission in accordance with § 41-2-18, the nonresident may obtain a landowner-on-own-land license. The commission shall promulgate rules, in accordance with chapter 1-26, to establish the types of big game animals that are eligible to harvest with a landowner-on-own-land license. The license entitles the nonresident to hunt on land owned by the nonresident within any unit, for the specified hunting season.

If a nonresident owns, for agricultural purposes, at least one hundred sixty contiguous acres east of the Missouri River, is an owner-operator of the land, and has not, pursuant to § 41-6-20, received a big game license that permits the harvest of a buck during the east river deer season or firearm antelope season set by the commission in accordance with § 41-2-18, the nonresident may obtain a landowner-on-own-land license. The license entitles the nonresident to hunt on land owned by the nonresident, within any unit, for the specified hunting season.

If a member of the nonresident's immediate family is qualified to obtain a license under this section and if the member has not, pursuant to § 41-6-20, received a big game license that permits the harvest of a buck during the west river deer season, east river deer season, or firearm antelope season set by the commission in accordance with § 41-2-18, the member may obtain a landowner-on-own-land license. The license entitles the member to hunt on land owned by the nonresident within any unit, as described in §§ 41-6-19.3 and 41-6-19.8, and this section, for the specified hunting season.

Upon receipt of the application prescribed by the Department of Game, Fish and Parks, and payment of the applicable fee, the department shall issue a landowner-on-own-land license that restricts the holder to the taking of the big game animals, as designated on the license, from land owned by the nonresident.

The nonresident landowner-on-own-land licenses for east river deer season may not exceed two hundred and fifty licenses annually and shall be allocated by lottery.

The commission shall promulgate rules, in accordance with chapter 1-26, to establish fees for licenses issued under this section.

For purposes of this section, an immediate family member means the nonresident's spouse or a child who resides with the nonresident.

**Section 3.** That § 41-6-19.8 be AMENDED.

**41-6-19.8. Antlerless deer licenses--Restrictions--Residents and nonresidents.**

In addition to any deer license authorized in accordance with § 41-6-19.3 or any other law, in areas designated by the commission, a resident who owns and operates or leases and operates, for agricultural purposes, at least one hundred sixty acres of land may apply for and receive two antlerless deer licenses, free of charge, for use as provided in this section, during the west river deer season, the east river deer season, or any other deer season set by the commission pursuant to § 41-2-18.

In addition to any deer license authorized in accordance with § 41-6-19.4 or any other law, in areas designated by the commission, a nonresident who owns and operates, for agricultural purposes, at least six hundred forty contiguous acres of land west of the Missouri River or one hundred sixty contiguous acres east of the Missouri River, may apply for and receive two antlerless deer licenses, free of charge, for use as provided in this section, during the west river deer season, the east river deer season, or any other deer season set by the commission pursuant to § 41-2-18.

The six-dollar surcharge established pursuant to § 41-2-34.2 does not apply to the licenses provided for in this section.

The licenses may only be used in areas designated by the department on lands owned by the nonresident, within any unit, for the specified hunting season.

No more than two such licenses may be issued for use on any single farm or ranch.

Upon receipt of an application that is prescribed by the department and that meets the requirements of this section, the department shall issue two antlerless deer licenses that restrict the holder to the taking of the big game animals, as designated on the license.

Resident license holders may take big game only from land owned or leased by the holder.

Nonresident license holders may take big game only from land owned by the holder.

An Act to provide limited deer and antelope licenses to landowners.

I certify that the attached Act originated in the:  
House as Bill No. 1047

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_, 2021 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_ for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2021

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2021 at \_\_\_\_\_ o'clock \_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1047  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State