

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

619U0505

HOUSE BILL NO. 1145

Introduced by: Representatives Gibson, Hawks, Heinert, Hickey, Hoffman, Killer, Kopp, May, Olson (Betty), Parsley, Peterson, Rozum, and Verchio and Senators Kirkeby, Lucas, Sutton, and Tidemann

1 FOR AN ACT ENTITLED, An Act to provide that road-killed animals are in the public domain
2 and to provide the means of possession.

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

4 Section 1. Notwithstanding any other provision of law, any road-killed animal whose carcass
5 is located in a public rights-of-way is in the public domain and may be taken and utilized by any
6 person on a first come basis. However, any road-killed animal carcass that has been marked for
7 removal by a sanitary or other service is no longer in the public domain.

8 Section 2. Any person who appropriates a road-killed animal carcass pursuant to section 1
9 of this Act shall appropriate the entire carcass and shall appropriately dispose of any portion of
10 the carcass that the person does not want to assume personal possession of.

11 Section 3. Any person who appropriates a road-killed animal carcass pursuant to section 1
12 of this Act shall report the event to the Department of Game, Fish and Parks or any conservation
13 officer within ten days. Failure to report pursuant to the section is a petty offense.

