



2025 South Dakota Legislature

House Bill 1023

Introduced by: The Chair of the Committee on Judiciary at the request of the Department of Game, Fish and Parks

1 **An Act to modify the definition of a conviction for purposes of license revocation.**

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

3 **Section 1. That § 41-6-74.3 be AMENDED:**

4 **41-6-74.3.** If a person's privilege has been revoked pursuant to § 41-6-74.1 or
 5 41-6-74.2, ~~the person, if and the person is~~ present at the time of conviction, ~~shall the~~
 6 person must immediately surrender ~~and deliver~~ the license to the court or clerk of courts
 7 ~~at which time. The court or clerk of courts shall note~~ the revocation ~~shall be noted~~ on the
 8 face of the license ~~by the court or clerk of courts and the license returned~~ and return the
 9 license to the Department of Game, Fish and Parks.

10 If a person's privilege has been revoked pursuant to § 41-6-74.1 or 41-6-74.2,
 11 and the person is not present at the time of conviction, the person ~~shall~~ must, within
 12 fourteen days of the conviction, deliver and return the license to the Department of Game,
 13 Fish and Parks department.

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

15 If the person has a combination license, the revocation ~~shall~~ must be noted on the
 16 face of the license and the license ~~shall~~ must be returned to the person to remain valid for
 17 the other purposes permitted by the license.

18 ~~For the purposes of §§ 41-6-74.1 and 41-6-74.2, the term, conviction, is defined~~
 19 ~~as provided in § 32-12-53.~~

20 **Section 2. That a NEW SECTION be added to chapter 41-6:**

21 For purposes of §§ 41-6-74.1 to 41-6-74.3, inclusive, "conviction" means:

- 22 (1) A verdict or plea of guilty;
 23 (2) A plea of nolo contendere;
 24 (3) A suspended imposition of sentence;

- 1 (4) An unvacated forfeiture of bail or collateral deposited to secure a defendant's
- 2 appearance in court; and
- 3 (5) Any other judgment of guilt entered against a defendant in a criminal case.