

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

741Z0640

SENATE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **SB 137** - 2/1/2018

Introduced by: Senators Frerichs, Cammack, Heinert, Kolbeck, Maher, Nelson, Otten (Ernie), Soholt, Solano, and Youngberg and Representatives Otten (Herman), Brunner, Chase, Clark, Dennert, Kettwig, Latterell, Livermont, Lust, May, McCleerey, Rasmussen, Rhoden, Steinhauer, and Zikmund

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the minimum hunting
2 age.

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

4 Section 1. That § 41-6-81 be amended to read:

5 41-6-81. Notwithstanding any provisions of Title 41 to the contrary, a resident of this state
6 who is ~~at least ten~~ and less than sixteen years of age is not required to possess a hunting license
7 in order to hunt if accompanied by a hunting mentor. A hunting mentor is the child's parent or
8 guardian or any other competent adult who has the written consent of the child's parent or
9 guardian. The hunting mentor shall be a resident of this state, shall be unarmed except as
10 provided in this section, shall have successfully completed a hunter safety or hunter education
11 course that meets the requirements of chapter 41-7, and shall possess a valid hunting license for
12 the game being hunted. A child who hunts pursuant to this section shall be under the immediate
13 physical control ~~and~~ direct supervision, and responsibility of a hunting mentor at the time the



1 child discharges a firearm or operates a bow and arrow in the act of hunting. A hunting mentor
2 may accompany no more than one mentored child at any one time. No hunting party that
3 includes a mentored child may include more than six persons, regardless of whether or not
4 members of the hunting party are hunting or possess or operate firearms. A child who hunts
5 pursuant to this section is subject to all requirements, restrictions, and penalties specified in this
6 title and in the rules promulgated pursuant to this title with respect to the species being hunted,
7 except that the combined number of animals taken or possessed by the child and the hunting
8 mentor may not exceed the number of animals authorized under licenses held by the hunting
9 mentor. A mentored child may not take big game under the provisions of this section except
10 antlerless deer, turkey, and doe-fawn antelope. No big game may be taken by a mentored child
11 unless the child's parent or legal guardian has been issued a license that designates the child as
12 a mentored child who is authorized to exercise the privileges granted by the license. The license
13 is valid only for the mentored child and is not transferable to another person. Application for
14 or issuance of such licenses does not affect the eligibility of the parent or legal guardian for any
15 other big game license. The requirement in this section that the hunting mentor be unarmed does
16 not prohibit the hunting mentor from possessing a permitted concealed pistol or other legally
17 possessed handgun.

18 The Game, Fish and Parks Commission shall promulgate rules pursuant to chapter 1-26 to
19 establish criteria and conditions governing the hunter mentoring program established in this
20 section.