

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

363T0579

## SENATE BILL NO. 88

Introduced by: Senators Juhnke, Bradford, and Sutton and Representatives Schaefer, Brunner, Olson (Betty), and Scott

1 FOR AN ACT ENTITLED, An Act to revise the allowable time periods for use of nonresident  
2 small game hunting licenses.

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

4 Section 1. That § 41-6-17 be amended to read as follows:

5 41-6-17. It is a Class 2 misdemeanor for a nonresident to hunt, take, or kill small game,  
6 other than migratory waterfowl, without a nonresident small game license or in violation of the  
7 conditions of the license or the rules of the Game, Fish and Parks Commission. It is a Class 2  
8 misdemeanor for a nonresident to hunt, take, or kill dove and snipe without a nonresident small  
9 game license and a migratory bird certification permit, or in violation of the rules of the Game,  
10 Fish and Parks Commission. It is a Class 2 misdemeanor for a nonresident to hunt, take, or kill  
11 sandhill crane without a nonresident small game license or nonresident waterfowl license and  
12 a migratory bird certification permit, or in violation of the rules of the Game, Fish and Parks  
13 Commission.

14 A nonresident small game license, except as otherwise provided in this title and except for  
15 the taking of migratory waterfowl, entitles the licensee to all of the privileges of a resident small



1 game hunting license for two periods of five consecutive days or as provided under the  
2 nonresident small game flex program established pursuant to section 2 of this Act.

3 Section 2. That chapter 41-6 be amended by adding thereto a NEW SECTION to read as  
4 follows:

5 The nonresident small game flex program is hereby established. Under the program an  
6 additional two thousand five hundred nonresident small game licenses that are each valid for  
7 five two-day periods may be issued. Licenses under the program may only be issued by the  
8 Department of Game, Fish and Parks and only via the internet. The Game, Fish and Parks  
9 Commission may provide for other combinations of days in rules promulgated pursuant to  
10 chapter 1-26 if the total number of days for which the license is valid does not exceed ten and  
11 if the total number of licenses issued under the program does not exceed two thousand five  
12 hundred. No person may be issued more than one nonresident small game license for use in the  
13 same hunting season. Fees for the nonresident small game license shall be set by the Game, Fish  
14 and Parks Commission in rules promulgated pursuant to chapter 1-26, and the commission may  
15 establish a higher fee for licenses issued under the nonresident small game flex program.