



## 2020 South Dakota Legislature

**House Bill 1184**

HOUSE ENGROSSED

Introduced by: **Representative Brunner**

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

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

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

4 **41-6-19.3. Resident landowner--Limited deer or antelope license--**  
 5 **Promulgation of rules.**

6 If a resident ~~farmer or rancher who~~ owns or leases, for agricultural purposes, the  
 7 minimum acreage of ~~privately owned farm or ranch land~~ necessary to qualify for  
 8 landowner preference ~~as prescribed by,~~ in accordance with rules promulgated by the  
 9 Game, Fish and Parks Commission, ~~and who if the resident~~ actually resides on the land,  
 10 or is an owner-operator of the land, and if the resident has not, pursuant to § 41-6-19,  
 11 received a big game license ~~pursuant to § 41-6-19~~ that permits the harvest of a buck  
 12 during the west river prairie deer season, east river deer season, Black Hills deer season,  
 13 or firearm antelope season set by the ~~Game, Fish and Parks Commission pursuant to~~  
 14 commission in accordance with § 41-2-18, the ~~farmer or rancher~~ resident may obtain one  
 15 any-deer license, one any-antelope license, one license that has one any-deer tag and  
 16 one any-antlerless deer tag, or one any-antelope and one doe/kid antelope tag ~~that is~~  
 17 valid only. The license entitles the resident to hunt on ~~lands~~ land owned or leased by the  
 18 ~~farmer or rancher~~ resident within any unit, for the specified hunting season.

19 If a member of the resident's immediate family ~~of the farmer or rancher is~~ qualified to  
 20 obtain a license under this section and if the member has not, pursuant to § 41-6-19,  
 21 received a big game license ~~pursuant to § 41-6-19~~ that permits the harvest of a buck  
 22 during the west river prairie deer season, east river deer season, Black Hills deer season,  
 23 or firearm antelope season set by the ~~Game, Fish and Parks Commission pursuant to~~  
 24 commission in accordance with § 41-2-18, the ~~immediate family~~ member may ~~also~~ obtain  
 25 one any-deer license, one any-antelope license, one license that has one any-deer tag  
 26 and one any-antlerless deer tag, or one any-antelope and one doe/kid antelope tag ~~that~~

1 ~~is valid only~~. The license entitles the member to hunt on lands ~~land~~ owned or leased by  
2 the resident ~~farmer or rancher~~ within any unit, for the specified hunting season.

3 Upon receipt of the application prescribed by the ~~department~~ Department of Game,  
4 Fish and Parks, and payment of the applicable fee, the ~~Department of Game, Fish and~~  
5 Parks department shall issue a limited license that restricts the holder to the taking of the  
6 big game animals, as designated on the license ~~only~~, ~~from the privately owned farm or~~  
7 ~~ranch lands~~ land owned or leased by the resident ~~farmer or rancher~~. The holder of the  
8 license ~~may not take any big game animal from land owned or leased by other persons.~~

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

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

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

14 **41-6-19.4. Nonresident landowner--Limited deer or antelope license.**

15 ~~For the purposes of issuance of the limited permit pursuant to § 41-6-19.3, the~~  
16 ~~term, immediate family, means the applicant, the applicant's spouse, and the applicant's~~  
17 ~~children residing with the applicant or on land owned or leased by the resident farmer or~~  
18 ~~rancher.~~

19 If a nonresident owns, for agricultural purposes, at least six hundred forty  
20 contiguous acres, if the nonresident is an owner-operator of the land, and if the  
21 nonresident has not, pursuant to § 41-6-19, received a big game license that permits the  
22 harvest of a buck during the west river prairie deer season or firearm antelope season set  
23 by the commission in accordance with § 41-2-18, the nonresident may obtain one any-  
24 deer license, one any-antelope license, one license that has one any-deer tag and one  
25 any-antlerless deer tag, or one any-antelope and one doe/kid antelope tag. The license  
26 entitles the nonresident to hunt on land owned by the nonresident within any unit, for the  
27 specified hunting season.

28 If a member of the nonresident's immediate family is qualified to obtain a license  
29 under this section and if the member has not, pursuant to § 41-6-19, received a big game  
30 license that permits the harvest of a buck during the west river prairie deer season or  
31 firearm antelope season set by the commission in accordance with § 41-2-18, the member  
32 may obtain one any-deer license, one any-antelope license, one license that has one any-  
33 deer tag and one any-antlerless deer tag, or one any-antelope and one doe/kid antelope

1 tag. The license entitles the member to hunt on land owned by the nonresident within any  
2 unit, as described in this Act, for the specified hunting season.

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

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

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

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

12 **41-6-19.8. Antlerless deer licenses--Restrictions--Residents and**  
13 **nonresidents.**

14 In addition to any deer license authorized ~~pursuant to~~ in accordance with § 41-6-  
15 19.3 or any other ~~provision of law~~, in areas designated by the ~~Department of Game, Fish~~  
16 ~~and Parks, any farmer or rancher who is~~ commission, a resident of South Dakota and who  
17 owns and operates or leases and operates, for agricultural purposes, at least one hundred  
18 sixty acres of land may apply for and receive two antlerless deer licenses, free of charge,  
19 for use as provided in this section, during the west river prairie deer season, the east river  
20 deer season, or any other deer season set by the commission pursuant to § 41-2-18.

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

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

29 The licenses may only be used in areas designated by the department on lands  
30 owned ~~or leased by the farmer or rancher~~ nonresident, within any unit, for the specified  
31 hunting season.

32 ~~Not~~ No more than two such licenses may be issued for use on any single farm or  
33 ranch.

1           Upon receipt of an application that is prescribed by the ~~Department of Game, Fish~~  
2 ~~and Parks that department and that~~ meets the requirements of this section, the  
3 department shall issue two antlerless deer licenses that restrict the holder to the taking  
4 of the big game animals, as designated on the license ~~only from the farm or ranch lands.~~  
5           Resident license holders may take big game only from land owned or leased by the  
6 ~~farmer or rancher. The license does not authorize the holder of the license to take any big~~  
7 ~~game animal from land owned or leased by other persons~~ holder.  
8           Nonresident license holders may take big game only from land owned by the  
9 holder.