



2025 South Dakota Legislature

Senate Bill 78

Introduced by: **Senator Jensen (Kevin)**

1 **An Act to authorize a change in bullet diameter for use in taking certain animals.**

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

3 **Section 1. That § 41-8-17 be AMENDED:**

4 **41-8-17.** Between sunset and sunrise, no person may use or possess night-vision
 5 equipment or throw or cast the rays of a spotlight, motor vehicle headlight, or other
 6 artificial light onto a highway, or into any field, pasture, woodland, forest, or prairie, for
 7 the purpose of spotting, locating, taking, attempting to take, or hunting any animal, if the
 8 person is in possession or control of a firearm, bow, or other implement by which an
 9 animal could be killed. The prohibitions set forth in this section do not apply to a law
 10 enforcement officer in the performance of the officer's duties.

11 Notwithstanding the prohibitions set forth in this section:

12 (1) A person may use a handheld light, while the person is on foot, to:

13 (a) Take raccoons after the raccoons have been treed by dogs; or

14 (b) Engage in trapping activity and take trapped fur-bearing animals;

15 (2) From January first to August thirty-first, inclusive, a person may use night vision
 16 equipment, but not artificial light, to take jackrabbits, coyotes, beaver during its
 17 hunting season, foxes, raccoons, opossums, badgers, skunks, and rodents,
 18 provided the person is on public land and uses:

19 (a) A shotgun and shotshells; or

20 (b) A firearm and a cartridge having a bullet diameter of less than ~~.225~~ .312
 21 inches;

22 (3) From January first to August thirty-first, a person may use night vision equipment,
 23 but not artificial light, to take jackrabbits, coyotes, beaver during its hunting
 24 season, foxes, raccoons, opossums, badgers, skunks, and rodents, provided the
 25 person is on private land that is under lease to the Department of Game, Fish and

1 Parks for the purpose of providing public access, has the permission of the
2 landowner, and uses:

3 (a) A shotgun and shot shells; or

4 (b) A firearm and a cartridge having a bullet diameter of less than ~~-.225~~ .312
5 inches;

6 (4) A person may use night vision equipment and artificial light to take jackrabbits,
7 coyotes, beaver during its hunting season, foxes, raccoons, opossums, badgers,
8 skunks, and rodents, provided the person is on private land, and uses:

9 (a) A shotgun and shot shells; or

10 (b) A firearm and a cartridge having a bullet diameter of less than ~~-.225~~ .312
11 inches; and

12 (5) An employee of the Department of Game, Fish and Parks may, while performing
13 animal damage control, use night-vision equipment and artificial lights, provided
14 the employee obtains permission from the person owning or occupying the land
15 prior to taking an animal that is causing damage.

16 For purposes of this section, artificial light, means a man-made light or lighting
17 device that projects lumination for an unaided eye.

18 For purposes of this section, night-vision equipment, means an electronic or
19 battery-powered device that enhances a person's ability to see in the dark.

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