

# GAME, FISH, AND PARKS COMMISSION ACTION FINALIZATION

## Hunting Requirements and Prohibited Methods Chapter 41:06:04:17

Commission Meeting Dates:	Proposal	May 2-3, 2024	Custer State Park
	Public Hearing	July 11, 2024	Sioux Falls
	Finalization	July 11-12, 2024	Sioux Falls

### COMMISSION PROPOSAL

**Duration of Recommendation:** Beginning in 2024

**Requirements and Restrictions:**

1. A person may use an air gun with hunting pellets and a minimum factory rated muzzle velocity of 1,000 feet per second to hunt cottontail rabbit, red squirrel, fox squirrel, grey squirrel, coyote, wolf\*, gray fox, red fox, skunk, gopher, ground squirrel, chipmunk, jackrabbit, marmot, opossum, porcupine, crow, and prairie dog.

\* wolves are currently federally protected and not legal for harvest in South Dakota.

**Proposed changes from last year:**

1. Edit § 41:06:04:17 to reduce the air gun muzzle velocity minimum from 1,000 feet per second to 600 feet per second to hunt cottontail rabbit, red squirrel, fox squirrel, grey squirrel, and any species defined as a predator/varmint in § 41-1-1 (21).
  - a. § 41-1-1 (21) includes coyote, wolf, gray fox, red fox, skunk, gopher, ground squirrel, chipmunk, jackrabbit, marmot, opossum, porcupine, crow, and prairie dog.

### DEPARTMENT RECOMMENDED CHANGES FROM PROPOSAL

None.

### SUPPORTIVE INFORMATION

Many air rifles do not meet the 1,000 feet per second muzzle velocity requirement, and lower muzzle velocity is more common in larger caliber air rifles. This is because less muzzle velocity is required for a larger caliber to achieve the same foot pounds of energy.

From a safety benefit, pellet trajectories are more stable at lower muzzle velocities and pellets can be a safer alternative than firearms for small game because less chance for ricochet compared to .22 long rifle.

Air rifles have less recoil and produce less sound when fired, which could present a preferable alternative to firearms for youth and when hunting near homesteads where small game hunting is common.

### DRAFT ADMINISTRATIVE RULE CHANGES

41:06:04:17. Minimum air gun specifications. No person may hunt species listed in SDCL 41-8-31(1A) with an air gun that is factory-rated to produce a muzzle velocity of less than ~~4,000~~ 600 feet per second. Only hunting pellets are permitted.

**RESIDENT/NONRESIDENT CRITERIA**

None

**RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA**

1. Does the regulation or fee inhibit a user's ability to participate? No.
2. Does the regulation increase the opportunity for new and existing users? Yes, people may hunt small game with lesser weapon restrictions.
3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? People may be more likely to hunt based on the lesser weapon restriction.
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? NA

**FISCAL IMPACT**

More people may hunt small game with lesser weapon restrictions on air guns.

APPROVE \_\_\_\_\_ MODIFY \_\_\_\_\_ REJECT \_\_\_\_\_ NO ACTION \_\_\_\_\_