

## 2022 South Dakota Legislature

**House Bill 1066****AMENDMENT 1066C FOR THE INTRODUCED BILL**

1 **An Act to prohibit the personal possession of a loaded firearm while intoxicated or**  
2 **in possession of cannabis or cannabis products.**

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

4  
5 **Section 1. That § 22-14-7 be AMENDED:**

6 **22-14-7.** Any A person who is guilty of a Class 1 misdemeanor if the person:

7 (1) Recklessly discharges a firearm or recklessly;

8 (2) Recklessly shoots a bow and arrow; or

9 (2)(3) Sets a device designed to activate a weapon upon being tripped or approached,  
10 and leaves the device unmarked or unattended by a competent person; or

11 (3) Has in personal possession a loaded firearm while intoxicated;  
12 is guilty of a Class 1 misdemeanor.

13 **Section 2. That chapter 22-14 be amended with a NEW SECTION:**

14 A person is guilty of a Class 1 misdemeanor if the person is in personal possession  
15 of a loaded firearm while:

16 (1) Intoxicated; or

17 (2) ~~Under the influence of marijuana, as that term is~~ In possession of cannabis or  
18 cannabis products, as defined in ~~§ 22-42-1~~ § 34-20G-1.

19 **Section 3. That chapter 22-14 be amended with a NEW SECTION:**

20 For purposes of section 2 of this Act, the term, loaded firearm, means any  
21 functional firearm that contains a cartridge, shell, or projectile:

22 (1) ~~In~~ in the chamber, including any chamber in the cylinder of a revolver;

- 1 ~~(2)~~ In a magazine that is fixed or integral to the firearm; or
- 2 ~~(3)~~ In a detachable magazine that has been inserted into the firearm.
- 3

AMENDMENT