



2022 South Dakota Legislature
Senate Bill 212
ENROLLED

AN ACT

ENTITLED An Act to revise certain fees collected by the Office of the Secretary of State.

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

Section 1. That § 23-7-8.2 be AMENDED:

23-7-8.2. The permit to carry a concealed pistol is valid for a period of five years from the date of issuance.

Section 2. That § 23-7-8.11 be AMENDED:

23-7-8.11. The holder of the regular permit to carry a concealed pistol may renew the permit through the sheriff of the county where the holder resides for a period beginning ninety days before the permit expires. The holder must pass a background investigation, including a computer check of available online records and the National Instant Criminal Background Check, required under § 23-7-7 prior to the renewal of the permit.

Section 3. That § 23-7-53 be AMENDED:

23-7-53. An applicant must submit an application, to the sheriff of the county in which the applicant resides, for an optional enhanced permit to carry a concealed pistol. The application must include:

- (1) A copy of the applicant's fingerprints for submission to the Federal Bureau of Investigation, and any governmental agency or entity authorized to receive such information, for a state, national, and international criminal background check;
- (2) An authorization to run a fingerprint background check;
- (3) If the sheriff takes the fingerprints, the sheriff shall secure the fingerprints at no additional charge to the applicant; and
- (4) Proof that the applicant:

- (a) Has successfully completed a qualifying handgun course as defined in § 23-7-58, within the preceding twelve months; or
- (b) Is a current or former law enforcement officer and has, within the preceding twelve months, qualified or requalified on a certified shooting course administered by a firearms instructor approved by the Law Enforcement Officers Standards Commission.

The sheriff shall forward the copy of the applicant's fingerprints, the applicant's authorization for processing a criminal background check, and the payment for the criminal background check to the Division of Criminal Investigation for processing.

Section 4. That § 23-7-56 be AMENDED:

23-7-56. A person who holds an enhanced permit to carry a concealed pistol may renew the permit through the sheriff of the county in which the person resides. The period for renewal begins one-hundred eighty days before the permit expires and ends thirty days after the permit expires.

In order to renew an enhanced permit a person shall:

- (1) Pass a criminal background check and a National Instant Criminal Background Check; and
- (2) Present proof that:
 - (a) During the period for renewal, as set forth in this section, the person:
 - (i) Successfully completed the live fire component of a qualifying handgun course defined in § 23-7-58;
 - (ii) Received instruction regarding the use of force standards; and
 - (iii) Received instruction regarding relevant criminal statutory changes;or
 - (b) The person is a current or former law enforcement officer who, within the twelve-month period preceding the date of the expiration, qualified or requalified on a certified shooting course administered by a firearms instructor approved by the Law Enforcement Officers Standards Commission.

If a person fails to renew an enhanced permit to carry a concealed pistol during the period set forth in this section, the permit is deemed to be invalid. In order to obtain an enhanced permit thereafter, the person shall submit an application and meet all requirements set forth in § 23-7-53.

Section 5. That § 23-7-60 be AMENDED:

23-7-60. An applicant must submit an application, to the sheriff of the county in which the applicant resides, for a gold card permit to carry a concealed pistol. The application must include:

- (1) A copy of the applicant's fingerprints for submission to the Federal Bureau of Investigation, and any governmental agency or entity authorized to receive such information, for a state, national, and international criminal background check; and
- (2) An authorization to run a criminal background check.

The sheriff shall forward the copy of the applicant's fingerprints and the applicant's authorization for processing a criminal background check to the Division of Criminal Investigation for processing.

Section 6. That § 23-7-62 be AMENDED:

23-7-62. A person who holds a gold card permit to carry a concealed pistol may renew the permit through the sheriff of the county in which the person resides. The period for renewal begins one hundred eighty days before the permit expires and ends thirty days after the permit expires.

In order to renew a gold card permit, a person must pass a criminal background check and a National Instant Criminal Background Check.

Section 7. That § 23-7-69 be AMENDED:

23-7-69. A person who has been issued a permit to carry a concealed pistol shall maintain current information on the permit by notifying the secretary of state in writing of a change in the person's name due to marriage or court order, or of a change in physical address. If the revised address is located within South Dakota, the secretary of state must provide a new permit to the person.

The county sheriff may issue a temporary permit or the secretary of state may issue an updated permit that reflects an address outside of South Dakota in the following instances:

- (1) For a South Dakota resident who is active duty military personnel, or the spouse of a person who is active duty military, with a home of record in South Dakota; or
- (2) For a South Dakota permit holder whose home is physically located in South Dakota but has an official postal address located within in a county in another state that shares a border with South Dakota.

Section 8. That chapter 23-7 be amended with a NEW SECTION:

The Office of the Secretary of State shall reimburse counties based on the number of concealed carry permits issued each year. The reimbursement amount is:

- (1) Three dollars for an initial permit to carry a concealed pistol issued under § 23-7-8.2;
- (2) Three dollars for renewal of a permit to carry a concealed pistol issued under § 23-7-8.11;
- (3) Fifty dollars for an initial enhanced permit to carry a concealed pistol issued under § 23-7-53;
- (4) Twenty-five dollars for renewal of an enhanced permit to carry a concealed pistol issued under § 23-7-56;
- (5) Thirty dollars for an initial gold card permit to carry a concealed pistol issued under § 23-7-60; and
- (6) Thirty dollars for renewal of a gold card permit to carry a concealed pistol issued under § 23-7-62.

The Office of the Secretary of State shall develop and provide to counties a form on which the counties may submit the number of permits issued each calendar year. The form must be submitted to the Office of the Secretary of State on or before January thirty-first. The Office of the Secretary of State shall reimburse the counties on or before March thirty-first. The reimbursements must be paid on vouchers approved by the secretary of state and paid on warrants drawn by the state auditor.

Only those permits issued on or after July 1, 2022, are eligible for reimbursement in accordance with this section.

An Act to revise certain fees collected by the Office of the Secretary of State.

I certify that the attached Act originated in the:
Senate as Bill No. 212

Received at this Executive Office this ____ day of _____, 2022 at _____ M.

Secretary of the Senate

By _____ for the Governor

President of the Senate

The attached Act is hereby approved this _____ day of _____, A.D., 2022

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2022 at _____ o'clock ___ M.

Chief Clerk

Secretary of State

Senate Bill No. 212
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State