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## 2025 South Dakota Legislature

## House Bill 1080

## **HOUSE JUDICIARY ENGROSSED**

Introduced by: Representative Peterson (Drew)

- An Act to void covenants that prohibit or restrict the possession or use of firearms and ammunition.
- 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
- 4 Section 1. That a NEW SECTION be added to chapter 43-12:
- A covenant running with the land may not prohibit, restrict, or have the effect of prohibiting or restricting:

  The lawful possession, storage, or transportation of a firearm, any part of a firearm,
  - (1) The lawful possession, storage, or transportation of a firearm, any part of a firearm, or ammunition; or
  - (2) The lawful discharge of a firearm.
  - If a provision in a covenant is found to violate this section, that provision is void and unenforceable. A provision that is void and unenforceable is severable and any remaining provisions that can be given effect are not thereby affected.