



## 2025 South Dakota Legislature

# House Bill 1218

HOUSE LOCAL GOVERNMENT ENGROSSED

Introduced by: **Representative Aylward**

1 **An Act to prohibit certain political subdivisions from imposing firearm restrictions**  
 2 **on county, municipal, and township employees, officers, and volunteers.**

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

4 **Section 1. That a NEW SECTION be added to chapter 7-18:**

5 A board of county commissioners may not, by any method or means, prohibit or  
 6 restrict an individual who is a county employee, officer, or volunteer, from lawfully  
 7 possessing any concealed firearm and compatible ammunition, while the individual is  
 8 within any county building, facility, or vehicle, or while on any real property, owned or  
 9 leased by the county. This section does not apply to possession of a concealed firearm  
 10 and compatible ammunition by an individual:

11 (1) Who is an inmate;

12 (2) Who is present in a building being used to provide court or jail services; or

13 (3) Other than a law enforcement officer, while using a county vehicle to transport  
 14 another individual apprehended in accordance with chapter 27A-10.

15 For purposes of this section, any "method or means" includes the adoption of a  
 16 policy, the issuance of a guidance letter or statement, and any similar directive, whether  
 17 written or oral.

18 **Section 2. That a NEW SECTION be added to chapter 8-4:**

19 A board of supervisors may not, by any method or means, prohibit or restrict an  
 20 individual who is a township employee, officer, or volunteer, from lawfully possessing any  
 21 concealed firearm and compatible ammunition, while the individual is within any township  
 22 building, facility, or vehicle, or while on any real property, owned or leased by the  
 23 township. This section does not apply to possession of a concealed firearm and compatible  
 24 ammunition by an individual:

25 (1) Who is an inmate;

- 1        (2) Who is present in a building being used to provide court or jail services; or
- 2        (3) Other than a law enforcement officer, while using a township vehicle to transport
- 3        another individual apprehended in accordance with chapter 27A-10.

4            For purposes of this section, any "method or means" includes the adoption of a  
 5        policy, the issuance of a guidance letter or statement, and any similar directive, whether  
 6        written or oral.

7        **Section 3. That a NEW SECTION be added to chapter 9-14:**

8            The governing body of a municipality may not, by any method or means, prohibit  
 9        or restrict an individual who is a municipal employee, officer, or volunteer, from lawfully  
 10       possessing any concealed firearm and compatible ammunition, while the individual is  
 11       within any municipal building, facility, or vehicle, or while on any real property, owned or  
 12       leased by the municipality. This section does not apply to possession of a concealed  
 13       firearm and compatible ammunition by an individual:

- 14       (1) Who is an inmate;
- 15       (2) Who is present in a building being used to provide court or jail services; or
- 16       (3) Other than a law enforcement officer, while using a municipal vehicle to transport
- 17       another individual apprehended in accordance with chapter 27A-10.

18            For purposes of this section, any "method or means" includes the adoption of a  
 19        policy, the issuance of a guidance letter or statement, and any similar directive, whether  
 20        written or oral.