



2026 South Dakota Legislature

House Bill 1129

Introduced by: **Representative** Rice

1 **An Act to provide for the carrying of a concealed pistol by certain school district
2 employees.**

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

4 **Section 1. That § 13-32-7 be AMENDED:**

5 **13-32-7.** Any person individual who intentionally carries, possesses, stores,
6 keeps, leaves, places, or puts into the possession of another person, any dangerous
7 weapon, firearm, or air gun, whether or not the firearm or air gun is designed, adapted,
8 used, or intended to be used primarily for imitative or noisemaking purposes, on or in any
9 public elementary or secondary school premises, vehicle, or building, or on or in any
10 premises, vehicle, or building used or leased for public elementary or secondary school
11 functions, whether or not any person is endangered by any action under this section, is
12 guilty of a Class 1 misdemeanor.

13 This section does not apply to:

- 14 (1) A law enforcement officer;
- 15 (2) An individual who has completed a school sentinel training course, in accordance
16 with chapter 13-64;
- 17 (3) An individual who:
 - 18 (a) Is twenty-one years of age or older;
 - 19 (b) Holds an enhanced permit to carry a concealed pistol, issued in accordance
20 with chapter 23-7; and
 - 21 (c) Has written permission from the principal of the school or other person who
22 has general control and supervision of the building or grounds;
- 23 (4) An individual who:
 - 24 (a) Is employed by the school district;
 - 25 (b) Is twenty-one years of age or older;

- (c) Holds an enhanced permit to carry a concealed pistol, issued in accordance with chapter 23-7; and
- (d) Has notified the law enforcement agency, having jurisdiction over the location of the school, that the employee intends to possess or securely store a concealed pistol, while the employee is in the school, on the grounds of the school, or in any school vehicle, during the period beginning with the date of notification and ending June thirtieth of each year;

(5) An individual who holds any permit to carry a concealed pistol, issued in accordance with chapter 23-7, while that individual is:

- (a) Inside a motor vehicle; or
- (b) Outside a motor vehicle and securing a pistol in, or retrieving a pistol from, the vehicle;

(5)(6) The use of a starting gun at an athletic event;

(6)(7) Any firearm or air gun at a:

- (a) Firing range;
- (b) Gun show; or
- (c) Supervised school or session for training in the use of firearms;

(7)(8) The ceremonial presence of an unloaded weapon at a color guard ceremony;

(8)(9) A nonpublic school; or

(9)(10) A church or other house of worship; or

(10) ~~A nonpublic school located on the premises of a church or other house of worship.~~

Section 2. That a NEW SECTION be added to chapter 13-32:

A school district is not liable for any damages or penalties resulting from the use of a firearm by an individual described in subdivision 13-32-7(3) or (4).