

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

400P0345

## HOUSE BILL NO. 1086

Introduced by: The Committee on Education at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to extend to postsecondary campuses certain protections  
2 relating to the possession of dangerous weapons.

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

4 Section 1. Any person, other than a law enforcement officer, who intentionally carries, has  
5 in the person's possession, stores, keeps, leaves, places, or puts into the possession of another  
6 person, any firearm, or air gun, whether or not the firearm or air gun is designed, adapted, used,  
7 or intended primarily for imitative or noisemaking purposes, or any dangerous weapon, on the  
8 premises of any postsecondary institution or any vehicle or building owned, used, or leased for  
9 postsecondary institution functions, is guilty of a Class 1 misdemeanor.

10 Section 2. This Act does not apply to:

- 11 (1) Any starting gun while in use at an athletic event, and any firearm or air gun at a  
12 firing range, a gun show, or supervised school or session for training in the use of  
13 firearms;
- 14 (2) The ceremonial presence of any unloaded weapon at a color guard ceremony;
- 15 (3) Any weapon under the control of military personnel assigned to the South Dakota



- 1 National Guard or to the Reserve Officers Training Corps; or
- 2 (4) Any weapon held in a weapon storage facility operated by the institution or any
- 3 weapon being transported to or from such a storage facility.