

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

295Z0021

HOUSE BILL NO. 1124

Introduced by: Representatives Livermont, Brunner, Campbell, Clark, Dennert, DiSanto, Gosch, Latterell, May, Peterson (Sue), and Pischke and Senators Stalzer, Jensen (Phil), Killer, and Nelson

1 FOR AN ACT ENTITLED, An Act to allow certain persons with a felony conviction to apply
2 for a concealed pistol permit.

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

4 Section 1. That § 23-7-7.1 be amended to read:

5 23-7-7.1. A temporary permit to carry a concealed pistol shall be issued within five days of
6 application to a person if the applicant:

7 (1) Is eighteen years of age or older;

8 (2) Is not prohibited by South Dakota law from possessing a firearm;

9 ~~(3)~~ Has never pled guilty to, nolo contendere to, or been convicted of a ~~felony or a crime~~
10 of violence as defined by subdivision 22-1-2(9);

11 ~~(3)(4)~~ Is not habitually in an intoxicated or drugged condition;

12 ~~(4)(5)~~ Has no history of violence;

13 ~~(5)(6)~~ Has not been found in the previous ten years to be a "danger to others" or a "danger
14 to self" as defined in § 27A-1-1 or is not currently adjudged mentally incompetent;



- 1 ~~(6)~~(7) Has physically resided in and is a resident of the county where the application is
- 2 being made for at least thirty days immediately preceding the date of the application;
- 3 ~~(7)~~(8) Has had no violations of chapter 23-7, 22-14, or 22-42 constituting a felony or
- 4 misdemeanor in the five years preceding the date of application or is not currently
- 5 charged under indictment or information for such an offense;
- 6 ~~(8)~~(9) Is a citizen or legal resident of the United States; and
- 7 ~~(9)~~(10) Is not a fugitive from justice.
- 8 A person denied a permit may appeal to the circuit court pursuant to chapter 1-26.