



2020 South Dakota Legislature

Senate Bill 120

Introduced by: **Senator Stalzer**

1 **An Act to establish exceptions regarding the possession of a pistol by a minor.**

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

3 **Section 1.** That § 23-7-45 be AMENDED:

4 **23-7-45. Exceptions to prohibition against possession of pistols by minors.**

5 The provisions of § 23-7-44 ~~or to~~ are not applicable to a minor and a criminal
 6 prosecution for possession of a pistol brought after transfer pursuant to chapter 26-11-
 7 do not apply is not applicable to any a minor who has if:

8 (1) The minor had the prior written consent of the minor's parent or guardian to
 9 possess such the pistol, and:

10 ~~(1) That the minor was in the presence of the minor's parent or guardian;~~

11 (2) The minor was on premises owned or leased by the minor or the minor's
 12 parent, guardian, or immediate family member;

13 ~~(3) That the~~The minor was in the presence of a licensed or accredited gun safety
 14 instructor; or

15 ~~(4) That the~~The pistol was being used for farming, ranching, hunting, trapping, target
 16 shooting, or gun safety instruction.