



2020 South Dakota Legislature

Senate Bill 120

SENATE JUDICIARY ENGROSSED

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

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 to any~~ is not applicable to a minor who has if the minor had the prior written
8 consent of the minor's parent or guardian to possess ~~such~~ the pistol, and:

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

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

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

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