

## 2025 South Dakota Legislature

**Senate Bill 100****AMENDMENT 100E  
FOR THE INTRODUCED BILL**

1 **An Act to ~~prohibit-limit~~ the imposition of restrictions on the carrying of a concealed**  
2 **pistol and other items of self-defense while on the campus of a public**  
3 **institution of higher education.**

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

5 **Section 1. That a NEW SECTION be added to chapter 13-39A:**

6 ~~Neither-Except as otherwise provided in section 2 of this Act, neither~~ the South  
7 ~~Dakota Board of Technical Education nor any institution under the control of the board~~  
8 ~~may restrict or limit the lawful carrying, possession, storage, or transportation of:~~

9 ~~(1) A concealed pistol, as defined in § 22-1-2, and compatible ammunition, by any~~  
10 ~~individual holding an enhanced permit, a restricted enhanced permit, or a~~  
11 ~~reciprocal permit in accordance with chapter 23-7, within the boundaries of the~~  
12 ~~institution, or while in any building or structure owned or leased by the board or~~  
13 ~~the institution;~~

14 ~~(2) A stun gun, as defined in § 22-1-2, by any individual within the boundaries of the~~  
15 ~~institution, or while in any building or structure owned or leased by the board or~~  
16 ~~the institution; or~~

17 ~~(3) Mace, pepper spray, or other chemical irritant by any individual within the~~  
18 ~~boundaries of the institution, or while in any building or structure owned or leased~~  
19 ~~by the board or the institution.~~

20 **Section 2. That a NEW SECTION be added to chapter 13-39A:**

21 ~~The South Dakota Board of Technical Education or an institution under the control~~  
22 ~~of the board may restrict or limit the lawful carrying or possession of any item referenced~~  
23 ~~in subdivision (1), (2), or (3) of section 1 of this Act:~~

24 ~~(1) In a clearly designated portion of a building or structure, only if any of the following~~  
25 ~~are present:~~

1 (a) More than fifty-five gallons of flammable liquid, as identified in 29 C.F.R. §  
2 1910.106 (January 1, 2025);

3 (b) Significant quantities of hazardous materials classified as Category 3 or  
4 higher by the 704 Hazard Identification System of the National Fire  
5 Protection Association;

6 (c) K-size cylinders containing corrosive, reactive, flammable, toxic, or oxidizer  
7 gases classified as Category 2 or higher by the 704 Hazard Identification  
8 System of the National Fire Protection Association;

9 (d) L-size cylinders of acetylene gas; or

10 (e) Magnetic resonance imaging equipment or nuclear magnetic resonance  
11 equipment;

12 (2) In a room used for manufacturing or scientific research, if the concentration of  
13 airborne particles is controlled in order to maintain an environment with minimal  
14 pollutants;

15 (3) In a clearly designated portion of a building or structure to which a facility security  
16 clearance applies or for which a federal security clearance is required; or

17 (4) In a building or structure during a special event, provided metal detectors and  
18 armed security personnel are present at every public entrance to restrict the  
19 possession of any dangerous weapon.

20 Whenever an individual is not carrying or in possession of any item referenced in  
21 subdivision (1), (2), or (3) of section 1 of this Act, the individual shall store the item in a  
22 locked case or safe.

23 Nothing in this section may be construed to prohibit, restrict, or limit the lawful  
24 carrying of any item referenced in subdivision (1), (2), or (3) of section 1 of this Act,  
25 beyond that which is necessary to maintain safety, security, or cleanliness within the  
26 designated area.

27 **Section 3. That a NEW SECTION be added to chapter 13-53:**

28 Neither ~~Except as otherwise provided in section 4 of this Act, neither~~ the Board of  
29 Regents nor any institution under the control of the board may restrict or limit the lawful  
30 carrying, possession, storage, or transportation of:

31 (1) A concealed pistol, as defined in § 22-1-2, and compatible ammunition, by any  
32 individual holding an enhanced permit, a restricted enhanced permit, or a  
33 reciprocal permit in accordance with chapter 23-7, within the boundaries of the

- 1 institution, or while in any building or structure owned or leased by the board or  
2 the institution;
- 3 (2) A stun gun, as defined in § 22-1-2, by any individual within the boundaries of the  
4 institution, or while in any building or structure owned or leased by the board or  
5 the institution; or
- 6 (3) Mace, pepper spray, or other chemical irritant by any individual within the  
7 boundaries of the institution, or while in any building or structure owned or leased  
8 by the board or the institution.

9 **Section 4. That a NEW SECTION be added to chapter 13-53:**

10 The Board of Regents or an institution under the control of the board may restrict  
11 or limit the lawful carrying or possession of any item referenced in subdivision (1), (2), or  
12 (3) of section 3 of this Act:

13 (1) In a clearly designated portion of a building or structure, only if any of the following  
14 are present:

15 (a) More than fifty-five gallons of flammable liquid, as identified in 29 C.F.R. §  
16 1910.106 (January 1, 2025);

17 (b) Significant quantities of hazardous materials classified as Category 3 or  
18 higher by the 704 Hazard Identification System of the National Fire  
19 Protection Association;

20 (c) K-size cylinders containing corrosive, reactive, flammable, toxic, or oxidizer  
21 gases classified as Category 2 or higher by the 704 Hazard Identification  
22 System of the National Fire Protection Association;

23 (d) L-size cylinders of acetylene gas; or

24 (e) Magnetic resonance imaging equipment or nuclear magnetic resonance  
25 equipment;

26 (2) In a room used for manufacturing or scientific research, if the concentration of  
27 airborne particles is controlled in order to maintain an environment with minimal  
28 pollutants;

29 (3) In a clearly designated portion of a building or structure to which a facility security  
30 clearance applies or for which a federal security clearance is required; or

31 (4) In a building or structure during a special event, provided metal detectors and  
32 armed security personnel are present at every public entrance to restrict the  
33 possession of any dangerous weapon.

1 Whenever an individual is not carrying or in possession of any item referenced in  
2 subdivision (1), (2), or (3) of section 3 of this Act, the individual shall store the item in a  
3 locked case or safe.

4 Nothing in this section may be construed to prohibit, restrict, or limit the lawful  
5 carrying of any item referenced in subdivision (1), (2), or (3) of section 3 of this Act,  
6 beyond that which is necessary to maintain safety, security, or cleanliness within the  
7 designated area.

AMENDED