

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

400X0328

SENATE BILL NO. 30

Introduced by: The Committee on Judiciary at the request of the Department of Corrections

1 FOR AN ACT ENTITLED, An Act to provide that Department of Corrections employees are
2 excluded from concealed weapons permit requirements when on duty and acting under the
3 color of authority.

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

5 Section 1. That § 22-14-9 be amended to read:

6 22-14-9. Any person, other than a law enforcement officer ~~or parole agent~~ as defined in
7 § 22-1-2 acting under color of authority, who:

8 (1) Carries a pistol or revolver, loaded or unloaded, concealed on or about his or her
9 person without a permit as provided in chapter 23-7; or

10 (2) Carries a pistol or revolver, loaded or unloaded, concealed in any vehicle while
11 operating the vehicle, without a permit as provided in chapter 23-7;

12 is guilty of a Class 1 misdemeanor.

13 Section 2. That § 23-7-8.1 be amended to read:

14 23-7-8.1. The secretary of state shall prescribe the form of the permit to carry a concealed
15 pistol and the form of the enhanced permit to carry a concealed pistol pursuant to § 23-7-8. Each



1 permit shall list the applicant's name, address, and the expiration date of the permit. The
2 enhanced permit to carry a concealed pistol must clearly designate that the permit is enhanced.
3 The holder of a permit may carry a concealed pistol anywhere in South Dakota except in any
4 licensed on-sale malt beverage or alcoholic beverage establishment that derives over one-half
5 of its total income from the sale of malt or alcoholic beverages. Nothing in this section prevents
6 law enforcement officers, Department of Corrections employees, parole agents, security guards
7 employed on the premises, and other public officials with the written permission of the sheriff
8 from carrying concealed weapons in the performance of their duties or prevents home or
9 business owners from carrying concealed weapons on their property pursuant to § 22-14-11.