



2020 South Dakota Legislature

Senate Bill 98

Introduced by: **Senator Stalzer**

1 **An Act to extend the notification period for possession of a concealed pistol in the**
 2 **state capitol.**

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

4 **Section 1.** That § 22-14-24 be AMENDED:

5 **22-14-24. Exceptions to penalty for possession in a county courthouse or**
 6 **state capitol.**

7 The provisions of § 22-14-23 do not apply to:

- 8 (1) The lawful performance of official duties by an officer, agent, or employee of the
 9 United States, the state, political subdivision thereof, or a municipality, who is
 10 authorized by law to engage in or supervise the prevention, detection, investigation,
 11 or prosecution of any violation of law or who is an officer of the court;
- 12 (2) The possession of a firearm or other dangerous weapon by a judge or magistrate;
- 13 (3) The possession of a firearm or other dangerous weapon by a federal or state official,
 14 or by a member of the armed services, if such possession is authorized by law;
- 15 (4) The possession of a concealed pistol in the state capitol by a qualified law
 16 enforcement officer or a qualified retired law enforcement officer in accordance with
 17 the Law Enforcement Officers Safety Act of 2004, 18 U.S.C. § 926B-C;
- 18 (5) The possession of a concealed pistol anywhere in the state capitol, other than in the
 19 Supreme Court chamber or other access-controlled private office under the
 20 supervision of security personnel, by any person not otherwise referenced in this
 21 section, provided:
 - 22 (a) The person possessing the concealed pistol holds an enhanced permit issued
 23 in accordance with § 23-7-53;
 - 24 (b) At least twenty-four hours prior to initially entering the state capitol with a
 25 concealed pistol, the person notifies the superintendent of the Division of
 26 Highway Patrol, orally or in writing, that the person intends to possess a

- 1 concealed pistol in the state capitol;
- 2 (c) ~~The~~ Except as otherwise provided in subsection (d), the notification required
- 3 by this subdivision ~~includes~~ ;
- 4 (i) Includes the date on which or the range of dates during which the
- 5 person intends to possess a concealed pistol in the state capitol,
- 6 provided the range of dates may not exceed thirty consecutive days;
- 7 and
- 8 (ii) May be renewed as necessary and without limit;
- 9 (d) ~~The~~ In the case of a person who meets the requirements of subsections (a)
- 10 and (b) of this subdivision and is in possession of a state capitol access control
- 11 card, the notification required by the this subdivision may be renewed, as
- 12 necessary and without limit includes the date on which or the range of dates
- 13 during which the person intends to possess a concealed pistol in the state
- 14 capitol, provided the range of dates may not extend beyond December thirty-
- 15 first of each year; and
- 16 (6) The lawful carrying of a firearm or other dangerous weapon in a county courthouse
- 17 incident to a hunter safety or a gun safety course or for any other lawful purposes.