

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

648W0627

SENATE BILL NO. 192

Introduced by: The Committee on Taxation

1 FOR AN ACT ENTITLED, An Act to permit the sergeant-at-arms to carry concealed firearms
2 in the state capitol building under certain conditions.

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

4 Section 1. That chapter 2-4 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Notwithstanding the provisions of § 22-14-23, a sergeant-at-arms may possess and carry a
7 concealed weapon in the state capitol building pursuant to the provisions of this Act.

8 Section 2. That chapter 2-4 be amended by adding thereto a NEW SECTION to read as
9 follows:

10 A sergeant-at-arms may request to carry a concealed weapon in the state capitol building
11 during the legislative session for purposes of deterrence and defense against any violent attack
12 against the Legislature, its members, its staff, and members of the public in attendance of any
13 meeting of the Legislature. A sergeant-at-arms requesting to carry a concealed weapon in the
14 state capitol building during the legislative session or during the interim shall have a permit to
15 carry a concealed pistol pursuant to chapter 23-7.



1 Section 3. That chapter 2-4 be amended by adding thereto a NEW SECTION to read as
2 follows:

3 The speaker of the House of Representatives, the president pro tempore of the Senate, and
4 the majority leader and minority leader in each chamber, shall review any request by a sergeant-
5 at-arms to carry a concealed weapon in the state capitol building during the legislative session.
6 Upon review of the request by all parties listed, and completion by the sergeant-at-arms of the
7 course designated in section 5 of this Act, the speaker and the president pro tempore,
8 respectively, may issue a permit to the sergeant-at-arms to carry a concealed weapon in the state
9 capitol building between the second Tuesday in January to March thirty-first, inclusive.

10 Section 4. That chapter 2-4 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 The permit to carry a concealed weapon during the time frame designated does not expire,
13 however, the speaker and the president pro tempore, respectively, may revoke the permit at any
14 time. The requesting sergeant-at-arms, or the legislators in each respective chamber by a
15 majority vote, may appeal the decision of the speaker or president pro tempore, respectively, by
16 the Executive Board of the Legislative Research Council.

17 Section 5. That chapter 2-4 be amended by adding thereto a NEW SECTION to read as
18 follows:

19 Prior to entering upon the responsibilities set forth in this Act, each designated sergeant-at-
20 arms shall successfully complete a course of instruction designed and defined by the Law
21 Enforcement Officers Standards Commission pursuant to § 23-3-35. The commission shall, by
22 rules promulgated pursuant to chapter 1-26, develop minimum educational and training
23 standards for any sergeant-at-arms permitted to carry a concealed weapon in the state capitol
24 building. If a sergeant-at-arms has completed law enforcement firearms training pursuant to

1 subdivision 23-3-35(2), the sergeant-at-arms is exempt from the course requirement in this
2 section.

3 Section 6. That chapter 2-4 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 The identity of any designated sergeant-at-arms is confidential and may only be disclosed
6 by the speaker and the president pro tempore, respectively, to their fellow representatives and
7 senators on request. The speaker and the president pro tempore, respectively, may also disclose
8 the identity of one or more of the designated sergeant-at-arms to the director of the Legislative
9 Research Council if the speaker or the president pro tempore, respectively, feel it is in the best
10 interests of the Legislature to do so.

11 Section 7. That chapter 2-4 be amended by adding thereto a NEW SECTION to read as
12 follows:

13 The application to carry a concealed weapon in the capitol building is optional and the
14 Legislature may not arm any sergeant-at-arms without the latter's free, willing, and voluntary
15 consent. No sergeant-at-arms may be censured, criticized, or discriminated against for
16 unwillingness, inability, or refusal to carry firearms pursuant to this Act.