

AN ACT

ENTITLED, An Act to revise certain provisions regarding permits to carry a concealed pistol and to declare an emergency.

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

Section 1. That § 23-7-53 be amended to read:

23-7-53. An applicant may submit an application to the sheriff of the county in which the applicant resides for an optional enhanced permit to carry a concealed pistol. The application shall include:

- (1) The application for the optional enhanced permit to carry a concealed pistol;
- (2) A copy of the applicant's fingerprints for submission to the Federal Bureau of Investigation, and any governmental agency or entity authorized to receive such information, for a state, national, and international criminal history background check;
- (3) An authorization to run a fingerprint background check;
- (4) A separate payment for the cost of processing the fingerprint background check and, if the sheriff takes the fingerprints, the sheriff shall secure the fingerprints at no additional charge to the applicant;
- (5) A separate application fee of one hundred dollars for the optional permit to carry a concealed pistol which shall be distributed fifty percent to the sheriff and fifty percent to the secretary of state to be used by the secretary of state to administer the concealed carry program; and
- (6) Proof that the applicant has successfully completed a qualifying handgun course as defined in § 23-7-58 within the preceding twelve months or proof that the applicant is a current or former South Dakota law enforcement officer.

The sheriff shall forward the copy of the applicant's fingerprints, the applicant's authorization for

processing a fingerprint background check, and the payment for the fingerprint background check to the Division of Criminal Investigation for processing.

Section 2. That chapter 23-7 be amended by adding a NEW SECTION to read:

Notwithstanding any other law, the age requirement for the enhanced permit is for twenty-one years of age or older.

Any applicant between eighteen to twenty years of age, inclusive, who meets the requirements of §§ 23-7-53 and 23-7-54 and any other specified requirements and qualifications and upon the approval from the sheriff of the county where the applicant submitted the application shall be issued a temporary restricted enhanced permit that clearly designates the restricted enhanced permit is for individuals eighteen to twenty years of age, inclusive.

Section 3. That chapter 23-7 be amended by adding a NEW SECTION to read:

Any individual between eighteen and twenty years of age, inclusive, holding an enhanced concealed carry permit, issued between July 1, 2015, and the effective date of this Act, shall be issued a new temporary restricted enhanced permit that designates the permit is for individuals eighteen to twenty years of age, inclusive.

Section 4. That chapter 23-7 be amended by adding a NEW SECTION to read:

A person holding an unexpired restricted enhanced permit who has reached the age of twenty-one may submit a written request to the secretary of state for an unrestricted enhanced permit. The unrestricted enhanced permit shall be issued at no additional cost.

Section 5. That chapter 23-7 be amended by adding a NEW SECTION to read:

A person who has been issued a permit to carry a concealed pistol shall maintain current information on the permit by notifying the secretary of state in writing of a change in the person's name due to marriage or court order or of a change in physical address. If the revised address is located within South Dakota, the secretary of state shall provide a new permit to the person.

The county sheriff may issue a temporary permit or the secretary of state may issue an updated permit that reflects an address outside of South Dakota in the following instances:

- (1) For a South Dakota resident who is active duty military personnel, or the spouse of a person who is active duty military, with a home of record in South Dakota; or
- (2) For a South Dakota permit holder whose home is physically located in South Dakota but has an official postal address located within in a county in another state that shares a border with South Dakota.

The fee for processing a replacement permit is two dollars and shall be used by the secretary of state to administer the concealed carry program.

Section 6. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to revise certain provisions regarding permits to carry a concealed pistol and to declare an emergency.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1083

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1083
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State