

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

295Z0021

## HOUSE BILL NO. 1124

Introduced by: Representatives Livermont, Brunner, Campbell, Clark, Dennert, DiSanto, Gosch, Latterell, May, Peterson (Sue), and Pischke and Senators Stalzer, Jensen (Phil), Killer, and Nelson

1 FOR AN ACT ENTITLED, An Act to allow certain persons with a felony conviction to apply  
2 for a concealed pistol permit.

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

4 Section 1. That § 23-7-7.1 be amended to read:

5 23-7-7.1. A temporary permit to carry a concealed pistol shall be issued within five days of  
6 application to a person if the applicant:

7 (1) Is eighteen years of age or older;

8 (2) Is not prohibited by South Dakota law from possessing a firearm;

9 (~~3~~) Has never pled guilty to, nolo contendere to, or been convicted of a ~~felony~~ or a crime  
10 of violence as defined by subdivision 22-1-2(9);

11 (~~3~~)(4) Is not habitually in an intoxicated or drugged condition;

12 (~~4~~)(5) Has no history of violence;

13 (~~5~~)(6) Has not been found in the previous ten years to be a "danger to others" or a "danger  
14 to self" as defined in § 27A-1-1 or is not currently adjudged mentally incompetent;



1       ~~(6)~~(7) Has physically resided in and is a resident of the county where the application is  
2               being made for at least thirty days immediately preceding the date of the application;

3       ~~(7)~~(8) Has had no violations of chapter 23-7, 22-14, or 22-42 constituting a felony or  
4               misdemeanor in the five years preceding the date of application or is not currently  
5               charged under indictment or information for such an offense;

6       ~~(8)~~(9) Is a citizen or legal resident of the United States; and

7       ~~(9)~~(10)       Is not a fugitive from justice.

8       A person denied a permit may appeal to the circuit court pursuant to chapter 1-26.