

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

643B0019

HOUSE LOCAL GOVERNMENT ENGROSSED NO. **HB 1056** - 1/31/2019

Introduced by: Representatives Peterson (Sue), Brunner, Dennert, Frye-Mueller, Goodwin, Gosch, Howard, Jensen (Kevin), Johnson (Chris), Latterell, Livermont, Marty, Mulally, Otten (Herman), Pischke, Qualm, Randolph, Rasmussen, Weis, and Zikmund and Senators DiSanto, Jensen (Phil), Monroe, Nelson, Russell, Stalzer, and Youngberg

1 FOR AN ACT ENTITLED, An Act to prohibit certain local ordinances regarding firearms.

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

3 Section 1. That § 7-18A-36 be amended to read:

4 7-18A-36. No county may pass ~~any~~ an ordinance that restricts or prohibits, or imposes any

5 tax, licensure requirement, or licensure fee on the possession, storage, transportation, purchase,

6 sale, transfer, ownership, manufacture, or repair of firearms or ammunition or their components.

7 Any ~~ordinances~~ ordinance prohibited by this section ~~are~~ is null and void. The attorney general

8 shall bring an action in the name of the state for injunctive relief against any county that has

9 passed an ordinance in violation of this section. A court shall grant any person charged with a

10 violation of an ordinance prohibited under this section reasonable costs, expenses, and attorney's

11 fees.

12 Section 2. That § 8-5-13 be amended to read:

13 8-5-13. No township may pass ~~any~~ an ordinance that restricts or prohibits, or imposes any



1 tax, licensure requirement, or licensure fee on the possession, storage, transportation, purchase,
2 sale, transfer, ownership, manufacture, or repair of firearms or ammunition or their components.
3 Any ~~ordinances~~ ordinance prohibited by this section ~~are~~ is null and void. The attorney general
4 shall bring an action in the name of the state for injunctive relief against any township that has
5 passed an ordinance in violation of this section. A court shall grant any person charged with a
6 violation of an ordinance prohibited under this section reasonable costs, expenses, and attorney's
7 fees.

8 Section 3. That § 9-19-20 be amended to read:

9 9-19-20. No municipality may pass ~~any~~ an ordinance that restricts or prohibits, or imposes
10 any licensure requirement or licensure fee on the possession, storage, transportation, purchase,
11 sale, transfer, ownership, manufacture, or repair of firearms or ammunition or their components.
12 Any ~~ordinances~~ ordinance prohibited by this section ~~are~~ is null and void. The attorney general
13 shall bring an action in the name of the state for injunctive relief against any municipality that
14 has passed an ordinance in violation of this section. A court shall grant any person charged with
15 a violation of an ordinance prohibited under this section reasonable costs, expenses, and
16 attorney's fees.