

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

643B0019

HOUSE BILL NO. 1056

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