

AN ACT

ENTITLED, An Act to authorize the conditional carrying of a concealed pistol in the state capitol by certain persons.

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

Section 1. That § 22-14-22 be amended to read:

22-14-22. For the purposes of §§ 22-14-23 to 22-14-28, inclusive:

- (1) The term, county courthouse, means any building occupied for the public sessions of a circuit court, with its various offices, including any building appended to or used as a supplementary structure to a county courthouse; and
- (2) The term, state capitol, includes any building appended to or used as a supplementary structure to the state capitol.

Section 2. That § 22-14-23 be amended to read:

22-14-23. Except as provided in § 22-14-24, any person who knowingly possesses or causes to be present any firearm or other dangerous weapon, in any county courthouse or in the state capitol, or attempts to do so, is guilty of a Class 1 misdemeanor.

Section 3. That § 22-14-24 be amended to read:

22-14-24. The provisions of § 22-14-23 do not apply to:

- (1) The lawful performance of official duties by an officer, agent, or employee of the United States, the state, political subdivision thereof, or a municipality, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law or who is an officer of the court;
- (2) The possession of a firearm or other dangerous weapon by a judge or magistrate;
- (3) The possession of a firearm or other dangerous weapon by a federal or state official or by a member of the armed services, if such possession is authorized by law;

- (4) The possession of a concealed pistol in the state capitol by a qualified law enforcement officer or a qualified retired law enforcement officer in accordance with the Law Enforcement Officers Safety Act of 2004, 18 U.S.C. § 926B-C;
- (5) The possession of a concealed pistol anywhere in the state capitol, other than in the Supreme Court chamber or other access-controlled private office under the supervision of security personnel, by any person not otherwise referenced in this section, provided:
 - (a) The person possessing the concealed pistol holds an enhanced permit issued in accordance with § 23-7-53;
 - (b) At least twenty-four hours prior to initially entering the state capitol with a concealed pistol, the person notifies the superintendent of the Division of Highway Patrol, orally or in writing, that the person intends to possess a concealed pistol in the state capitol;
 - (c) The notification required by this subdivision includes the date on which or the range of dates during which the person intends to possess a concealed pistol in the state capitol, provided the range of dates may not exceed thirty consecutive days; and
 - (d) The notification required by the subdivision may be renewed, as necessary and without limit; and
- (6) The lawful carrying of a firearm or other dangerous weapon in a county courthouse incident to a hunter safety or a gun safety course or for any other lawful purposes.

Section 4. That § 22-14-25 be amended to read:

22-14-25. Except for the authorizations set forth in § 22-14-24, nothing in this chapter limits the power of a court to punish for contempt or to promulgate rules or orders regulating, restricting, or prohibiting the possession of weapons, within any building housing such court or any of its

proceedings, or upon any grounds pertinent to such building.

Section 5. That § 22-14-26 be amended to read:

22-14-26. Notice of the provisions of § 22-14-23 shall be posted conspicuously at each public entrance to a county courthouse and the state capitol.

Section 6. That § 22-14-28 be amended to read:

22-14-28. By a majority of the members-elect, the county commission in any county may elect to waive the provisions of § 22-14-23 that apply to a county courthouse.

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I certify that the attached Act originated in the

SENATE as Bill No. 115

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 115
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