



2020 South Dakota Legislature
Senate Bill 169
ENROLLED

AN ACT

ENTITLED An Act to authorize the possession of a concealed pistol by employees in county courthouses.

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

Section 1. That § 22-14-24 be AMENDED:

22-14-24. Possession in a county courthouse or state capitol--Exceptions from penalty.

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;
- (6) The possession of a firearm or other dangerous weapon in a county courthouse by any person who is employed by the county or the state and assigned to work in the county courthouse, provided the person is not an inmate, and other than in any area in use under the supervision of the Unified Judicial System or employees of the Unified Judicial System; and
 - (7) 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 2. That § 22-14-28 be AMENDED:

22-14-28. Waiver of provisions.

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. A waiver by the county commission in accordance with this section supersedes subdivision 22-14-24(6) governing county employees.

An Act to authorize the possession of a concealed pistol by employees in county courthouses.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

Senate as Bill No. 169

2020 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby approved this _____ day of _____, A.D., 2020

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2020
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 169
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State