



2021 South Dakota Legislature

Senate Bill 111

SENATE ENGROSSED

Introduced by: **Senator Schoenbeck**

1 **An Act to reduce the fee for permits to carry concealed pistols.**

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

3 **Section 1.** That § 23-7-8.2 be AMENDED.

4 **23-7-8.2. Duration of permit--Fee.**

5 The permit to carry a concealed pistol is valid for a period of five years from the
6 date of issuance. The fee for issuing the permit is ten dollars. The local authority shall
7 collect the fee. Seven dollars of the fee ~~shall~~ must be ~~remitted~~ forwarded to the secretary
8 of state and three dollars ~~shall~~ must be deposited in the general fund of the county or
9 municipality issuing the permit.

10 **Section 2.** That § 23-7-53 be AMENDED.

11 **23-7-53. Enhanced permit to carry concealed pistol--Application.**

12 An applicant ~~may~~ shall submit an application, to the sheriff of the county in which
13 the applicant resides, for an optional enhanced permit to carry a concealed pistol. The
14 application ~~shall~~ must include:

- 15 (1) ~~The application for the optional enhanced permit to carry a concealed pistol;~~
16 (2) ~~—~~ A copy of the applicant's fingerprints for submission to the Federal Bureau of
17 Investigation, and any governmental agency or entity authorized to receive such
18 information, for a state, national, and international criminal ~~history~~ background
19 check;
20 (3) ~~(2)~~ An authorization to run a fingerprint background check;
21 (4) ~~(3)~~ A separate payment for the cost of processing the ~~fingerprint~~ criminal background
22 check and, if the sheriff takes the fingerprints, the sheriff shall secure the
23 fingerprints at no additional charge to the applicant;
24 (5) ~~(4)~~ A separate application fee of ~~one hundred sixty~~ sixty dollars ~~for the optional permit to~~
25 ~~carry a concealed pistol which shall be distributed fifty percent to the sheriff and~~

1 ~~fifty percent to the secretary of state to be used by the secretary of state to~~
 2 ~~administer the concealed carry program; and~~

3 ~~(6)(5)~~ Proof that the applicant:

- 4 (a) Has successfully completed a qualifying handgun course as defined in § 23-
 5 7-58, within the preceding twelve months; or
 6 (b) Is a current or former law enforcement officer and has, within the preceding
 7 twelve months, qualified or requalified on a certified shooting course
 8 administered by a firearms instructor approved by the Law Enforcement
 9 Officers Standards Commission.

10 Fifty dollars of the application fee must be retained by the sheriff and ten dollars must
 11 be forwarded to the secretary of state for use in administering concealed carry permits.

12 The sheriff shall forward the copy of the applicant's fingerprints, the applicant's
 13 authorization for processing a fingerprint-criminal background check, and the payment for
 14 the fingerprint-criminal background check to the Division of Criminal Investigation for
 15 processing.

16 **Section 3.** That § 23-7-56 be AMENDED.

17 **23-7-56. Enhanced permit to carry concealed pistol--Renewal.**

18 A person who holds an enhanced permit to carry a concealed pistol may renew the
 19 permit through the sheriff of the county in which the person resides. The period for renewal
 20 begins one-hundred eighty days before the permit expires and ends thirty days after the
 21 permit expires.

22 In order to renew an enhanced permit a person shall:

- 23 (1) Pay a renewal fee in the amount of fifty-thirty-five dollars;
 24 (2) Pay the fee for a fingerprint-criminal background check;
 25 (3) Pass a fingerprint-criminal background check and a National Instant Criminal
 26 Background Check; and
 27 (4) Present proof that during the period of renewal set forth in this section, the person:
 28 (a) Successfully completed the live fire component of a qualifying handgun
 29 course defined in § 23-7-58;
 30 (b) Received instruction regarding the use of force standards; and
 31 (c) Received instruction regarding relevant criminal statutory changes.

32 ~~Fifty percent~~ Twenty-five dollars of the renewal fee ~~required by this section~~ must
 33 be retained by the sheriff. ~~The remaining fifty percent~~ Ten dollars of the renewal fee

1 ~~required by this section~~ must be forwarded to the secretary of state for use in
 2 administering ~~the concealed carry permitting process~~ permits.

3 If a person fails to renew an enhanced permit to carry a concealed pistol during
 4 the period set forth in this section, the permit is deemed to be invalid. In order to obtain
 5 an enhanced permit thereafter, the person shall submit an application and meet all
 6 requirements set forth in § 23-7-53.

7 **Section 4.** That § 23-7-60 be AMENDED.

8 **23-7-60. Gold card permit to carry concealed pistol--Application.**

9 An applicant ~~may~~ shall submit an application, to the sheriff of the county in which
 10 the applicant resides, for a gold card permit to carry a concealed pistol. The application
 11 ~~shall~~ must include:

- 12 (1) ~~The application for the gold card permit to carry a concealed pistol;~~
 13 ~~(2)~~—A copy of the applicant's fingerprints for submission to the Federal Bureau of
 14 Investigation, and any governmental agency or entity authorized to receive such
 15 information, for a state, national, and international criminal ~~history~~ background
 16 check;
 17 ~~(3)~~(2) An authorization to run a fingerprint-criminal background check;
 18 ~~(4)~~(3) A separate payment for the cost of processing the fingerprint-criminal background
 19 check; and
 20 ~~(5)~~(4) A separate application fee of ~~seventy~~ forty dollars for the gold card permit to carry
 21 a concealed pistol.

22 Thirty dollars of the application fee ~~shall~~ must be ~~distributed to~~ retained by the
 23 sheriff, ~~thirty four dollars shall be distributed to the Department of Public Safety, and six~~
 24 ten dollars must be forwarded to the secretary of state ~~to be used by the secretary of~~
 25 ~~state to administer the~~ for use in administering concealed carry ~~program~~ permits.

26 The sheriff shall forward the copy of the applicant's fingerprints, the applicant's
 27 authorization for processing a fingerprint-criminal background check, and the payment for
 28 the fingerprint-criminal background check to the Division of Criminal Investigation for
 29 processing.

30 **Section 5.** That § 23-7-62 be AMENDED.

31 **23-7-62. Renewal of gold card permit to carry concealed pistol.**

32 ~~The holder of the~~ A person who holds a gold card permit to carry a concealed pistol
 33 may renew the permit through the sheriff of the county ~~where the holder~~ in which the

1 person resides, ~~no earlier than ninety days prior to the expiration of.~~ The period for
2 renewal begins one hundred eighty days before the permit. ~~The holder expires and ends~~
3 thirty days after the permit expires.

4 In order to renew a gold card permit, a person shall pay a seventy:

5 (1) Pay a forty dollar renewal fee; and ~~pass~~

6 (2) Pass a fingerprint-criminal background check and a National Instant Criminal
7 Background Check ~~pursuant to § 23-7-61~~ prior to the renewal of the permit. ~~The~~
8 renewal.

9 Thirty dollars of the renewal fee shall ~~must be distributed as set forth in subdivision~~
10 23-7-60(5) retained by the sheriff and ten dollars must be forwarded to the secretary of
11 state for use in administering concealed carry permits.