



## 2021 South Dakota Legislature

# Senate Bill 111

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~~three dollars. The local authority  
7 shall collect the fee. ~~Seven dollars of the fee shall be remitted to the secretary of state~~  
8 ~~and three dollars shall be deposited~~ and deposit the fee in the general fund of the county  
9 or 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<sub>z</sub> to the sheriff of the county in which  
13 the applicant resides<sub>z</sub> 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~~fifty dollars ~~for the optional permit to~~  
25 ~~carry a concealed pistol which shall be distributed fifty percent to,~~ which is to be

1 ~~retained by the sheriff and fifty percent to the secretary of state to be used by the~~  
 2 ~~secretary of state to 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 The sheriff shall forward the copy of the applicant's fingerprints, the applicant's  
 11 authorization for processing a fingerprint-criminal background check, and the payment for  
 12 the fingerprint-criminal background check to the Division of Criminal Investigation for  
 13 processing.

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

15 **23-7-56. Enhanced permit to carry concealed pistol--Renewal.**

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

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

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

30 ~~Fifty percent of the~~ The renewal fee required by this section ~~must~~ is to be retained  
 31 by the sheriff. ~~The remaining fifty percent of the renewal fee required by this section must~~  
 32 ~~be forwarded to the secretary of state for use in administering the concealed carry~~  
 33 ~~permitting process.~~

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

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

6           **23-7-60. Gold card permit to carry concealed pistol--Application.**

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

- 10          (1) ~~The application for the gold card permit to carry a concealed pistol;~~  
11          (2) ~~—~~A copy of the applicant's fingerprints for submission to the Federal Bureau of  
12                  Investigation, and any governmental agency or entity authorized to receive such  
13                  information, for a state, national, and international criminal ~~history~~ background  
14                  check;  
15          (3)~~(2)~~ An authorization to run a fingerprint-criminal background check;  
16          (4)~~(3)~~ A separate payment for the cost of processing the fingerprint-criminal background  
17                  check; and  
18          (5)~~(4)~~ A separate application fee of seventy-three dollars for the gold card permit to carry  
19                  a concealed pistol. ~~Thirty dollars of the fee shall be distributed to the sheriff, thirty-~~  
20                  ~~dollars shall be distributed to the Department of Public Safety, and six dollars~~  
21                  ~~to the secretary of state to be used by the secretary of state to administer the~~  
22                  ~~concealed carry program. The fee is to be retained by the sheriff.~~

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