



2022 South Dakota Legislature

Senate Bill 209

Introduced by: **Senator** Castleberry

1 **An Act to limit the provision of state assistance to federal authorities in certain**
2 **matters related to firearms.**

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

4 **Section 1. That a NEW SECTION be added to title 23:**

5 A state agency, political subdivision, or any elected or appointed official or
6 employee of this state or of a political subdivision may not, under governmental authority,
7 provide assistance to a federal agency or official, or act independently, with respect to the
8 investigation or prosecution of a violation of, or the enforcement of, a federal statute,
9 order, or regulation, relating to a firearm or any component or accessory, or ammunition
10 or any component or accessory, if the federal statute, order, or regulation is more
11 restrictive than state law.

12 Nothing in this section prohibits the provision of assistance to a federal agency or
13 official responding to or addressing:

14 (1) Any offense that does not, as an element of the offense, involve a firearm,
15 ammunition, or any component or accessory of a firearm or ammunition; or

16 (2) Any offense in which a firearm, ammunition, or any component or accessory of a
17 firearm or ammunition is incidental, including any drug offense, homicide, assault,
18 kidnapping, sex offense, and human trafficking.