



2023 South Dakota Legislature

House Bill 1213

Introduced by: **Representative Duba**

1 **An Act to require that persons limit access to firearms by minors and to provide a**
2 **penalty therefor.**

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

4 **Section 1. That chapter 22-14 be amended with a NEW SECTION:**

5 The owner of a firearm is guilty of a Class 6 felony if:

6 (1) The owner knowingly gives, loans, or sells, the firearm to a minor; and

7 (2) The minor uses that firearm in the commission of a crime.

8 **Section 2. That chapter 22-14 be amended with a NEW SECTION:**

9 The owner of a firearm is guilty of a Class 6 felony if:

10 (1) The owner stores the firearm without utilizing a locked container or a trigger lock;

11 and

12 (2) A minor obtains and uses that firearm in the commission of a crime.

13 The penalty provided for in this section is not applicable if the firearm has been

14 rendered inoperable, either permanently or through the removal of an essential

15 component of the firing mechanism, or if the firearm was obtained by the minor as a

16 result of an illegal act.