

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

637Y0566

HOUSE BILL NO. 1194

Introduced by: Representatives Campbell, Dennert, DiSanto, Frye-Mueller, Goodwin, Gosch, Greenfield (Lana), Kaiser, Livermont, and Marty and Senators Jensen (Phil) and Nelson

1 FOR AN ACT ENTITLED, An Act to require certain documentation for the reason of denial
2 of a concealed pistol permit.

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

4 Section 1. That § 23-7-7.1 be amended to read:

5 23-7-7.1. A temporary permit to carry a concealed pistol shall be issued within five days of
6 application to a person if the applicant:

7 (1) Is eighteen years of age or older;

8 (2) Has never pled guilty to, nolo contendere to, or been convicted of a felony or a crime
9 of violence;

10 (3) Is not habitually in an intoxicated or drugged condition;

11 (4) Has no history of violence;

12 (5) Has not been found in the previous ten years to be a "danger to others" or a "danger
13 to self" as defined in § 27A-1-1 or is not currently adjudged mentally incompetent;

14 (6) Has physically resided in and is a resident of the county where the application is



- 1 being made for at least thirty days immediately preceding the date of the application;
- 2 (7) Has had no violations of chapter 23-7, 22-14, or 22-42 constituting a felony or
- 3 misdemeanor in the five years preceding the date of application or is not currently
- 4 charged under indictment or information for such an offense;
- 5 (8) Is a citizen or legal resident of the United States; and
- 6 (9) Is not a fugitive from justice.

7 Any applicant denied a permit shall be provided with a copy of each document relied on by

8 the sheriff in making the denial. A person denied a permit may appeal to the circuit court

9 pursuant to chapter 1-26.