

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

772Y0183

HOUSE BILL NO. 1154

Introduced by: Representatives Livermont, Gosch, Greenfield (Lana), Kaiser, Latterell, Lesmeister, Marty, and May and Senators Stalzer, Heinert, and Nelson

1 FOR AN ACT ENTITLED, An Act to allow certain persons with a felony conviction to apply
2 for 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
15 being made for at least thirty days immediately preceding the date of the application;



1 (7) Has had no violations of chapter 23-7, 22-14, or 22-42 constituting a felony or
2 misdemeanor in the five years preceding the date of application or is not currently
3 charged under indictment or information for such an offense;

4 (8) Is a citizen or legal resident of the United States; and

5 (9) Is not a fugitive from justice.

6 A person convicted of a felony, which is not classified as a crime of violence, is eligible to
7 receive a permit to carry a concealed pistol only if the application for the permit is being made
8 more than fifteen years after the person was last discharged from prison, jail, parole, or
9 probation for that conviction.

10 A person denied a permit may appeal to the circuit court pursuant to chapter 1-26.