



2025 South Dakota Legislature
House Bill 1218
ENROLLED

AN ACT

ENTITLED An Act to address the imposition of firearm restrictions on certain employees, officers, volunteers, and other individuals.

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

Section 1. That a NEW SECTION be added to chapter 7-18:

A board of county commissioners may not, by any method or means, prohibit or restrict an individual who is a county employee, officer, or volunteer, from lawfully possessing any concealed firearm and compatible ammunition, while the individual is within any county building, facility, or vehicle, or while on any real property, owned or leased by the county. This section does not apply to possession of a concealed firearm and compatible ammunition by:

- (1) An individual who is an inmate;
- (2) An individual, other than a law enforcement officer, while present in the secure area of any detention facility, a mental health crisis center, or a substance use disorder residential treatment facility; or
- (3) An individual, other than a law enforcement officer, while using a county vehicle to transport another individual apprehended in accordance with chapter 27A-10.

No injury or damage resulting from an individual possessing a concealed firearm may be construed to be an act of the county, and no liability may be imputed to the county.

For purposes of this section, any "method or means" includes the adoption of a policy, the issuance of a guidance letter or statement, and any similar directive, whether written or oral.

Section 2. That a NEW SECTION be added to chapter 8-4:

A board of supervisors may not, by any method or means, prohibit or restrict an individual who is a township employee, officer, or volunteer, from lawfully possessing any

concealed firearm and compatible ammunition, while the individual is within any township building, facility, or vehicle, or while on any real property, owned or leased by the township. This section does not apply to possession of a concealed firearm and compatible ammunition by:

- (1) An individual who is an inmate;
- (2) An individual, other than a law enforcement officer, while present in the secure area of any detention facility, a mental health crisis center, or a substance use disorder residential treatment facility; or
- (3) An individual, other than a law enforcement officer, while using a township vehicle to transport another individual apprehended in accordance with chapter 27A-10.

No injury or damage resulting from an individual possessing a concealed firearm may be construed to be an act of the township, and no liability may be imputed to the township.

For purposes of this section, any "method or means" includes the adoption of a policy, the issuance of a guidance letter or statement, and any similar directive, whether written or oral.

Section 3. That a NEW SECTION be added to chapter 9-14:

The governing body of a municipality may not, by any method or means, prohibit or restrict an individual who is a municipal employee, officer, or volunteer, from lawfully possessing any concealed firearm and compatible ammunition, while the individual is within any municipal building, facility, or vehicle, or while on any real property, owned or leased by the municipality. This section does not apply to possession of a concealed firearm and compatible ammunition by:

- (1) An individual who is an inmate;
- (2) An individual, other than a law enforcement officer, while present in the secure area of any detention facility, a mental health crisis center, or a substance use disorder residential treatment facility; or
- (3) An individual, other than a law enforcement officer, while using a municipal vehicle to transport another individual apprehended in accordance with chapter 27A-10.

No injury or damage resulting from an individual possessing a concealed firearm may be construed to be an act of the municipality, and no liability may be imputed to the municipality.

For purposes of this section, any "method or means" includes the adoption of a policy, the issuance of a guidance letter or statement, and any similar directive, whether written or oral.

Section 4. That a NEW SECTION be added to chapter 9-14:

Notwithstanding section 3 of this Act or § 9-19-20, a municipality may, by any method or means, prohibit or restrict an individual from lawfully carrying a dangerous weapon, as defined in § 22-1-2, within a building or facility at which an event is occurring, provided metal detectors are utilized to screen for any dangerous weapons and armed security personnel are posted at each public entrance.

Section 5. That § 23-7-70 be REPEALED.

An Act to address the imposition of firearm restrictions on certain employees, officers, volunteers, and other individuals.

I certify that the attached Act originated in
the:
House as Bill No. 1218

Received at this Executive Office
this ____ day of _____,
2025 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2025

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2025
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1218
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State