

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

628Q0742

SENATE STATE AFFAIRS ENGROSSED NO. **HB 1278** - 3/4/2009

Introduced by: Representatives Kopp, Brunner, Greenfield, Jensen, Kirkeby, Lederman, Olson (Betty), Russell, Steele, and Verchio and Senators Schmidt, Gant, Kloucek, and Maher

1 FOR AN ACT ENTITLED, An Act to revise certain provisions prohibiting political
2 subdivisions from restricting firearms.

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

4 Section 1. That § 8-5-13 be amended to read as follows:

5 8-5-13. ~~No township may pass any ordinance that restricts~~ Except on property owned or
6 leased by the township, other than public highways as defined in §§ 31-1-1 and 31-1-4, no
7 township may in any way restrict the possession, transportation, sale, transfer, ownership,
8 manufacture, or repair of firearms or ammunition or their components. Any ordinances existing
9 restrictions prohibited by this section are null and void. On any property on which firearms or
10 ammunition are restricted pursuant to this section, the township shall post signs sufficient to
11 notify the public of the restriction.

12 Section 2. That § 7-18A-36 be amended to read as follows:

13 7-18A-36. ~~No county may pass any ordinance that restricts~~ Except on property owned or
14 leased by the county, other than public highways as defined in §§ 31-1-1 and 31-1-4, no county



1 may in any way restrict the possession, transportation, sale, transfer, ownership, manufacture,
2 or repair of firearms or ammunition or their components. Any ~~ordinances~~ existing restrictions
3 prohibited by this section are null and void. On any property on which firearms or ammunition
4 are restricted pursuant to this section, the county shall post signs sufficient to notify the public
5 of the restriction. Nothing in this section prohibits a county from regulating the commercial or
6 industrial use of real property through duly enacted zoning ordinances.

7 Section 3. That § 9-19-20 be amended to read as follows:

8 9-19-20. ~~No municipality may pass any ordinance that restricts~~ Except on property owned
9 or leased by the municipality, other than public highways as defined in §§ 31-1-1 and 31-1-4,
10 no municipality may in any way restrict the possession, transportation, sale, transfer, ownership,
11 manufacture, or repair of firearms or ammunition or their components. Any ~~ordinances~~ existing
12 restrictions prohibited by this section are null and void. On any property on which firearms or
13 ammunition are restricted pursuant to this section, the municipality shall post signs sufficient
14 to notify the public of the restriction. Nothing in this section prohibits a municipality from
15 regulating the commercial or industrial use of real property through duly enacted zoning
16 ordinances.