

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

259S0434

## HOUSE BILL NO. 1079

Introduced by: Representatives Gosch, Bolin, Brunner, Conzet, Gibson, Hunt, Liss, and Novstrup (David) and Senators Olson (Russell), Begalka, Brown, Frerichs, Peters, Rave, and Tieszen

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions related to the purchase of  
2 firearms by out-of-state residents.

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

4 Section 1. That § 23-7-40 be repealed.

5 ~~—23-7-40. The State of South Dakota herewith permits residents of contiguous states and~~  
6 ~~residents of this state, not otherwise precluded by any applicable laws, to purchase, sell, trade,~~  
7 ~~convey, deliver, or transport rifles, shotguns, ammunition, reloading components, or firearms~~  
8 ~~accessories in South Dakota and in states contiguous to South Dakota. This authorization is~~  
9 ~~enacted to implement for this state the permissive firearms sales and delivery provisions in~~  
10 ~~section 922(b), (3)(A) of Public Law 90-618 of the 90th United States Congress, second session.~~

11 Section 2. That § 23-7-41 be repealed.

12 ~~—23-7-41. In the event that presently enacted federal restrictions on the purchase, sale, trade,~~  
13 ~~delivery, transportation, or conveyance of firearms accessories are repealed by the United States~~  
14 ~~Congress or set aside by courts of competent jurisdiction, § 23-7-40 shall in no way be~~



1 ~~interpreted to prohibit or restrict the purchase, sale, trade, delivery, transportation, or~~  
2 ~~conveyance of shotguns, rifles, ammunition, reloading components, or firearms accessories by~~  
3 ~~residents of this state or of contiguous states, or of any other states who are otherwise competent~~  
4 ~~to purchase, sell, trade, deliver, transport, or convey rifles, shotguns, ammunition, reloading~~  
5 ~~components, or firearms accessories in this state, in contiguous states or other states.~~