

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

489D0681

HOUSE BILL NO. **1160**

Introduced by: Representative Volesky

1 FOR AN ACT ENTITLED, An Act to prohibit negligent storage of firearms.

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

3 Section 1. Terms used in this Act mean:

4 (1) "Firearm," as defined in subdivision 22-1-2(16);

5 (2) "Child," a person under the age of eighteen years;

6 (3) "Loaded firearm," as defined in subdivision 41-1-1(15).

7 Section 2. No person may negligently store or leave a loaded firearm in a location where the
8 person knows, or reasonably should know, that a child is likely to gain access, unless the firearm
9 is secure against access by the child. A violation of this section is a Class 2 misdemeanor.

10 Section 3. Section 2 of this Act does not apply to a child's access to firearms that was
11 obtained as a result of an unlawful entry.