

## 2025 South Dakota Legislature

**House Bill 1218****AMENDMENT 1218F  
FOR THE HOUSE LOCAL GOVERNMENT ENGROSSED BILL**

1 An Act to prohibit ~~certain political subdivisions~~ counties, municipalities, and  
2 townships from imposing firearm restrictions on ~~county, municipal, and~~  
3 township certain employees, officers, and volunteers.

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

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

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

12 (1) ~~Who~~ An individual who is an inmate;

13 (2) ~~Who is~~ An individual, other than a law enforcement officer, while present in a:

14 (a) ~~A portion of a~~ A portion of a building being used to provide court ~~or jail~~ services; or

15 (b) The secure area of any detention facility, a mental health crisis center, or a  
16 substance use disorder residential treatment facility; or

17 (3) ~~Other~~ An individual, other than a law enforcement officer, while using a county  
18 vehicle to transport another individual apprehended in accordance with chapter  
19 27A-10.

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

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

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

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

7 (1) ~~Who~~-An individual who is an inmate;

8 (2) ~~Who is~~-An individual, other than a law enforcement officer, while present in-a:

9 (a) A portion of a building being used to provide court-~~or jail~~ services; or

10 (b) The secure area of any detention facility, a mental health crisis center, or a  
 11 substance use disorder residential treatment facility; or

12 (3) ~~Other~~-An individual, other than a law enforcement officer, while using a township  
 13 vehicle to transport another individual apprehended in accordance with chapter  
 14 27A-10.

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

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

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

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

28 (1) ~~Who~~-An individual who is an inmate;

29 (2) ~~Who is~~-An individual, other than a law enforcement officer, while present in-a:

30 (a) A portion of a building being used to provide court-~~or jail~~ services; or

31 (b) The secure area of any detention facility, a mental health crisis center, or a  
 32 substance use disorder residential treatment facility; or

1       (3) ~~Other~~An individual, other than a law enforcement officer, while using a municipal  
2            vehicle to transport another individual apprehended in accordance with chapter  
3            27A-10.

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

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