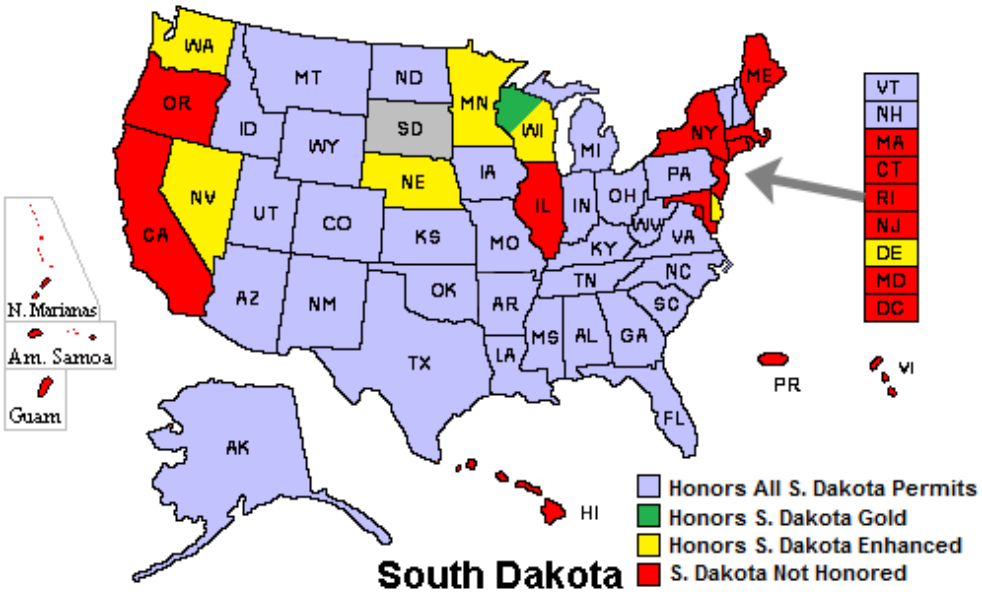
South Dakota

Permitless Carry State

Shall Issue

Must Inform Officer Immediately: NO

(See Must Inform Section)



Note: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, West Virginia and Wyoming have "Permitless Carry" Anyone who can legally possess a firearm under state and federal law may carry in these states without a Permit. Check each states page for age or other restrictions that may apply.

South Dakota CCW Links

State CCW Site

State Firearm Laws
July 2026

CCW Application

Application Process

Types of Permits

SD Military/Spouse

State FAQs

State Statutes

State Admin Rules

Reciprocity Information

State Attorney General

Local Sheriff CCW Info

Age to Carry a Firearm In Other States

Last Updated: 9/26/2026

Permits/Licenses This State Honors Listed Below

South Dakota is a Permitless Carry State and has repealed their reciprocity statute. You don't need a permit to carry in South Dakota so technically they honor all other states permits but don't state that in their laws.

Reciprocity/How This State Honors Other States Permit/Licenses

23-7-7. Permit to Carry Concealed Pistol--Background Investigation--Carrying Pistol Without Permit Not Prohibited.

The issuance of a permit to carry a concealed pistol under this chapter does not impose a general prohibition on the carrying of a pistol without a permit SL 2022, ch 69, § 2.

Note: South Dakota Repealed their Reciprocity law (§ 23-7-7.4.) as they are a Permitless Carry States and no permit is required.

Permitless Carry

23-7-7. Permit to Carry Concealed Pistol--Background Investigation--Carrying Pistol Without Permit Not Prohibited.

A permit to carry a concealed pistol must be issued to any applicant by the sheriff of the county in which the applicant resides. The permit must be valid throughout the state and must be issued pursuant to § 23-7-7.1. For purposes of verifying the qualifications of an applicant, prior to issuing a permit, the sheriff shall execute, and the applicant shall pass, a background investigation, including a computer check of available on-line records and a check utilizing the National Instant Criminal Background Check System. The issuance of a permit to carry a concealed pistol under this chapter does not impose a general prohibition on the carrying of a pistol without a permit.. SL 2022, ch 69, § 2.

How to Apply for a Permit

Note: Even though South Dakota is a Permitless Carry State they still issues permits to carry especially due to reciprocity for their permit holders. More information can be found **Here.**

Notice: Per SB 212 (2022) **All fees have been eliminated for Initial and Renewal Applicants.**

Permit to Carry a Concealed Pistol

A new or renewed Permit to Carry a Concealed Pistol may be obtained from the sheriff of the county which the applicant is a resident (SDCL 23-7-7).

Duration of permit and fees

Three types of permits are available in South Dakota - a regular permit, a gold card permit and an enhanced permit. All three permits are valid for five years. The enhanced permit is only valid when is it carried with a government issued form of identification that includes a picture of the permit holder (SDCL 23-7-8.2, SDCL 23-7-55).

The holder of the enhanced permit may renew the permit through the sheriff of the county where the holder resides for a period beginning 365 days before the permit expires and ending thirty days after expiration of the permit, if the holder pays the fifty dollar renewal fee and passes a National Instant Criminal Background Check. If the holder of the enhanced permit to carry a concealed pistol does not renew the permit within thirty days of expiration of the permit, the holder must reapply for an enhanced permit to carry a concealed pistol as outlined in SDCL 23-7-53 (SDCL 23-7-56). The holder of a gold card permit may renew the permit within 90 days of expiration (SDCL 23-7-62), and a holder of a regular permit may renew 90 days prior to expiration (23-7-8.11).

For a list of Enhanced Concealed Pistol Use of Force Instructors Go Here

Applicant Requirements

For both regular and enhanced permits the applicant must meet the following requirements:

- Is eighteen years-of age or older;
- Has never pled guilty or nolo contendere or been convicted of a felony or a crime of violence, as *defined in* is defined in SDCL 22-1-2 (9)
- Is not habitually in an intoxicated or drugged condition;
- Has no history of violence;

- Has not been found in the previous ten years to be a "danger to others" or a "danger to self" as defined in SDCL 27A-1-1 or is not currently adjudged mentally incompetent;
- Has physically resided in and is a resident of the county where the application is being made for at least thirty days immediately preceding the date of the application;
- Has no pending charges or previous violations of chapter 23-7, firearms control, 22-14, unlawful use of weapons, or 22-42, controlled substances; and marijuana, that constitute a felony or misdemeanor in the five years preceding the date of application.
- Is a citizen or legal resident of the United States; and
- Is not a fugitive from justice.
- Is not otherwise prohibited by state law, 18 U.S.C. § 922(g) as amended to October 26, 2005, or 18 U.S.C. § 922(n) as amended to October 26, 2005, from receiving, possessing or transporting a firearm, and passes a National Instant Criminal Background Check.

Note: **March 2018:** South Dakota passed HB 1083 which changed the requirements to obtain an Enhanced Permit to 21 Years of Age. Those 18 can still get a Regular permit and the state will now issue a "Restricted Enhanced" to those 18-20. Those 18-20 with an Existing Enhanced Permit will be reissued at no cost a Restricted Enhanced. Inside South Dakota there will be no difference in how the Restricted Enhanced and Enhanced are recognized. Handgunlaw.us believes this was done to allow more states to honor the South Dakota Enhanced Permit. To accomplish this they had to have a permit by a different name for those under 21. Check with the South Dakota Sec. of States Website for more information.

In Addition to the Above Requirements, the Enhanced Permit Also Requires the Following:

- A copy of the applicant's fingerprints for submission to the FBI, and any governmental agency or entity authorized to receive such information, for a state, national, and international criminal history background check;
- An authorization to run such fingerprint background check;
- Proof the applicant has successfully completed a qualifying handgun course as defined in SDCL23-7-58 within the preceding twelve months or proof that the applicant is a current or former South Dakota law enforcement officer.

The sheriff shall forward the copy of the applicant's fingerprints, along with the applicant's authorization and payment to DCI for processing (SDCL 23-7-53).

Enhanced Renewal

23-7-56. Enhanced Permit to Carry Concealed Pistol--Renewal.

A person who holds an enhanced permit to carry a concealed pistol may renew the permit through the sheriff of the county in which the person resides. The period for renewal begins twelve months before the permit expires and ends thirty days after the permit expires.

In order to renew an enhanced permit a person shall:

(1) Pass a criminal background check consisting of a computer check of available online records and a check utilizing the National Instant Criminal Background Check System; and

(2) Present proof that:

(a) During the period for renewal, as set forth in this section, the person:

(i) Successfully completed the live fire component of a qualifying handgun course defined in § 23-7-58;

(ii) Received instruction regarding the use of force standards; and

(iii) Received instruction regarding relevant criminal statutory changes; or

(b) The person is a current or former law enforcement officer who, within the twelve-month period preceding the date of the expiration, qualified or requalified on a certified shooting course administered by a firearms instructor approved by the Law Enforcement Officers Standards Commission.
If a person fails to renew an enhanced permit to carry a concealed pistol during the period set forth in this section, the permit is deemed to be invalid. In order to obtain an enhanced permit thereafter, the person shall submit an application and meet all requirements set forth in § 23-7-53. SL 2024, ch 91, § 1

Temporary Application

The applicant for a regular or enhanced permit shall complete the Application for a Temporary Permit to Carry a Concealed Pistol form. The information required for the permit includes: the applicant's complete name, address, occupation, place and date of birth, physical description, a statement that the applicant has never pled guilty or nolo contendere or been convicted of a felony or crime of violence, a sworn statement that the information on the application is true and correct, and the applicant's signature (SDCL 23-7-8).

Providing false information or false evidence of identity in applying for a permit to carry a concealed pistol is a Class 6 felony punishable by up to two years imprisonment in the state penitentiary or a fine of two thousand dollars, or both.

The sheriff will issue a regular temporary permit within five days from the date of application (SDCL 23-7-7.1). Because of the fingerprint background investigation required for an enhanced permit, the issuance of the enhanced temporary permit may take longer.

Within seven days after the regular or enhanced temporary permit has been issued, the sheriff shall send a copy of the application to the Secretary of State Office, who will issue the official permit within 30 days of the issuance of the temporary permit (SDCL 23-7-8).

Non-Resident Permits

Note: South Dakota does not issue Non-Resident Permit/Licenses except as described below.

§ 23-7-7.5. Active duty military personnel and spouses. Any person who is active duty military, or the spouse of a person who is active duty military, with a home of record in South Dakota is considered to have met the provisions of subdivision 23-7-7.1(6). Source: SL 2015, ch 136, § 1.

Note: Active Military and their spouse living out of state with their home of record in South Dakota can apply for a South Dakota Permit to Carry.

Places Off-Limits Even With a Permit/License

- Public Elementary or Secondary Public School Premises or Vehicle **§ 13-32-7**.
- Courthouses **§ 22-14-22**. County courthouse defined. For the purposes of §§ 22-14-23 to 22-14-28, inclusive, the term, county courthouse, means any building occupied for the public sessions of a circuit court, with its various offices. The term includes any building appended to or used as a supplementary structure to a county courthouse. SL 1993, ch 173, § 1; SL 2005, ch 120, § 261. 2019

22-14-23. Possession in County Courthouse or State Capitol--Misdemeanor

Except as provided in § 22-14-24, any person who knowingly possesses or causes to be present any firearm or other dangerous weapon, in any county courthouse or in the state capitol, or attempts to do so, is guilty of a Class 1 misdemeanor. SL 2019, ch 106, § 2

22-14-24. Exceptions to Penalty for Possession In a County Courthouse or State Capitol.

The provisions of § 22-14-23 do not apply to:

(5) The possession of a concealed pistol anywhere in the state capitol, other than in the Supreme Court chamber or other access-controlled private office under the supervision of security personnel, by any person not otherwise referenced in this section, provided:

(a) The person possessing the concealed pistol holds an enhanced permit issued in accordance with § 23-7-53;

(b) At least twenty-four hours prior to initially entering the state capitol with a concealed pistol, the person notifies the superintendent of the Division of Highway Patrol, orally or in writing, that the person intends to possess a concealed pistol in the state capitol;

(c) The notification required under this subdivision:

(i) Includes the date on which or the range of dates during which the person intends to possess a concealed pistol in the state capitol, provided the range of dates may not extend beyond December thirty-first of each year; and

(ii) May be renewed, as necessary and without limit; § 1; SL 2020, ch 81, § 1.

7-18-35 1. Counties. 2. Townships. 3. Municipal Employees and Carrying Firearms (This new Section and not numbered yet.)

A board of county commissioners, A board of supervisors of township employee or 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. SL 2025, ch 36, § 1.

Note: There are restrictions where criminals are housed or while transporting etc. Read the Bill.

§ 13-32-7. Possession of Firearm or Dangerous Weapon On Public Elementary or Secondary School Premises or in Vehicle or Building as Misdemeanor--Exceptions.

Any person who intentionally carries, possesses, stores, keeps, leaves, places, or puts into the possession of another person, any dangerous weapon, firearm, or air gun, whether or not the firearm or air gun is designed, adapted, used, or intended to be used primarily for imitative or noisemaking purposes, on or in any public elementary or secondary school premises, vehicle, or building, or on or in any premises, vehicle, or building used or leased for public elementary or secondary school functions, whether or not any person is endangered by any action under this section, is guilty of a Class 1 misdemeanor.

This section does not apply to:

(1) A law enforcement officer;

(2) An individual who has completed a school sentinel training course, in accordance with chapter 13-64;

(3) An individual who:

(a) Is twenty-one years of age or older;

(b) Holds an enhanced permit to carry a concealed pistol, issued in accordance with chapter 23-7; and

(c) Has written permission from the principal of the school or other person who has general control and supervision of the building or grounds;

(4) An individual who holds any permit to carry a concealed pistol, issued in accordance with chapter 23-7, while that individual is:

(a) Inside a motor vehicle; or

(b) Outside a motor vehicle and securing a pistol in, or retrieving a pistol from, the vehicle;

(5) The use of a starting gun at an athletic event;

(6) Any firearm or air gun at a:

(a) Firing range;

(b) Gun show; or

(c) Supervised school or session for training in the use of firearms;

(7) The ceremonial presence of an unloaded weapon at a color guard ceremony;

(8) A nonpublic school;

(9) A church or other house of worship; or

(10) A nonpublic school located on the premises of a church or other house of worship. SL 2025, ch 83, § 1

11-5-9 Restrictive Contracts and Declarations **(**New Section)

A homeowner's association may not include or enforce a provision in a governing document that prohibits, restricts, or has the effect of prohibiting or restricting the lawful:

(1) Possession, transportation, or storing a firearm, any part of a firearm, or firearm ammunition.

SL 2024, ch 42, § 1

For Federal Restrictions on Firearms see the **USA Page**.

Campus Carry

Sotuh Dakota Board of Regents Policies for Implementing SB 100

13-39A-43: Restrictions on Lawful Weapons Prohibited.

Except as otherwise provided in section 2 of this Act, neither the South Dakota Board of Technical Education nor any institution under the control of the board may restrict or limit the lawful carrying, possession, storage, or transportation of:

(1) A concealed pistol, as defined in § 22-1-2, and compatible ammunition, by any individual holding an enhanced permit, a restricted enhanced permit, or a reciprocal permit in accordance with chapter 23-7, within the boundaries of the institution, or while in any building or structure owned or leased by the board or the institution;

(2) A stun gun, as defined in § 22-1-2, by any individual within the boundaries of the institution, or while in any building or structure owned or leased by the board or the institution; or

(3) Mace, pepper spray, or other chemical irritant by any individual within the boundaries of the institution, or while in any building or structure owned or leased by the board or the institution.

SL 2025, ch 86, § 1

13-39A-44: Restrictions on Lawful Weapons Prohibited--Exceptions--Weapon Storage Requirement--Applicability.

The South Dakota Board of Technical Education or an institution under the control of the board may restrict or limit the lawful carrying or possession of any item referenced in subdivision (1), (2), or (3) of section 1 of this Act:

(1) In a clearly designated portion of a building or structure, only if any of the following are present:

(a) More than fifty-five gallons of flammable liquid, as identified in 29 C.F.R. § 1910.106 (January 1, 2025);

(b) Significant quantities of hazardous materials classified as Category 3 or higher by the 704 Hazard Identification System of the National Fire Protection Association;

(c) K-size cylinders containing corrosive, reactive, flammable, toxic, or oxidizer gases classified as Category 2 or higher by the 704 Hazard Identification System of the National Fire Protection Association;

(d) L-size cylinders of acetylene gas; or

(e) Magnetic resonance imaging equipment or nuclear magnetic resonance equipment;

(2) In a room used for manufacturing or scientific research, if the concentration of airborne particles is controlled in order to maintain an environment with minimal pollutants;

(3) In a clearly designated portion of a building or structure to which a facility security clearance applies or for which a federal security clearance is required; or

(4) In a building or structure during a special event, provided metal detectors and armed security personnel are present at every public entrance to restrict the possession of any dangerous weapon.

Whenever an individual is not carrying or in possession of any item referenced in subdivision (1), (2), or (3) of section 1 of this Act, the individual shall store the item in a locked case or safe.

Nothing in this section may be construed to prohibit, restrict, or limit the lawful carrying of any item referenced in subdivision (1), (2), or (3) of section 1 of this Act, beyond that which is necessary to maintain safety, security, or cleanliness within the designated area. SL 2025, ch 86, § 2

13-53-56: Restrictions on Lawful Weapons Prohibited

Except as otherwise provided in section 4 of this Act, neither the Board of Regents nor any institution under the control of the board may restrict or limit the lawful carrying, possession, storage, or transportation of:

(1) A concealed pistol, as defined in § 22-1-2, and compatible ammunition, by any individual holding an enhanced permit, a restricted enhanced permit, or a reciprocal permit in accordance with chapter 23-7, within the boundaries of the institution, or while in any building or structure owned or leased by the board or the institution;

(2) A stun gun, as defined in § 22-1-2, by any individual within the boundaries of the institution, or while in any building or structure owned or leased by the board or the institution; or

(3) Mace, pepper spray, or other chemical irritant by any individual within the boundaries of the institution, or while in any building or structure owned or leased by the board or the institution.

SL 2025, ch 86, § 3

13-53-57: Restrictions on Lawful Weapons Prohibited--Exceptions--Weapon Storage Requirement—Applicability

The Board of Regents or an institution under the control of the board may restrict or limit the lawful carrying or possession of any item referenced in subdivision (1), (2), or (3) of section 3 of this Act:

(1) In a clearly designated portion of a building or structure, only if any of the following are present:

(a) More than fifty-five gallons of flammable liquid, as identified in 29 C.F.R. § 1910.106 (January 1, 2025);

(b) Significant quantities of hazardous materials classified as Category 3 or higher by the 704 Hazard Identification System of the National Fire Protection Association;

(c) K-size cylinders containing corrosive, reactive, flammable, toxic, or oxidizer gases classified as Category 2 or higher by the 704 Hazard Identification System of the National Fire Protection Association;

(d) L-size cylinders of acetylene gas; or

(e) Magnetic resonance imaging equipment or nuclear magnetic resonance equipment;

(2) In a room used for manufacturing or scientific research, if the concentration of airborne particles is controlled in order to maintain an environment with minimal pollutants;

(3) In a clearly designated portion of a building or structure to which a facility security clearance applies or for which a federal security clearance is required; or

(4) In a building or structure during a special event, provided metal detectors and armed security personnel are present at every public entrance to restrict the possession of any dangerous weapon. Whenever an individual is not carrying or in possession of any item referenced in subdivision (1), (2), or (3) of section 3 of this Act, the individual shall store the item in a locked case or safe.

Nothing in this section may be construed to prohibit, restrict, or limit the lawful carrying of any item referenced in subdivision (1), (2), or (3) of section 3 of this Act, beyond that which is necessary to maintain safety, security, or cleanliness within the designated area.

An Act to limit the imposition of restrictions on the carrying of a concealed pistol and other items of self-defense while on the campus of a public institution of higher education. SL 2025, ch 86, § 4

Note: **Armed Campus Organization** Has information on all the States Campus Carry Statutes, Regulations and Policies with some covering firearms Policies on each school's campus.

Do "No Gun Signs" Have the Force of Law?

"NO"

"Handgunlaw.us highly recommends that you not enter a place that is posted "No Firearms" no matter what the state laws read/mean on signage. We recommend you print out the **No Guns = No Money Cards** and give one to the owner of the establishment that has the signage." As responsible gun owners and upholders of the 2nd Amendment we should also honor the rights of property owners to control their own property even if we disagree with them."

"No Firearm" signs in South Dakota have no force of law unless they are posted on property that is specifically mentioned in State Law as being off limits to those with a Permit/License to Carry. If you are in a place not specifically mentioned in the law that is posted and they ask you to leave, you must leave. If you refuse to leave then you are break. Always be aware of the possibility that responding Police Officers who may have been called without your knowledge and may not know the laws on trespass etc. could arrest you even if you are within the law.

Must Inform Officer Immediately on Contact By Law?

"NO" Handgunlaw.us recommends you carry your state issued ID when carrying under Permitless Carry. Some states require you carry it.

South Dakota being a permitless carry state does not require a permit to carry for anyone who is 18 years of age or older and can legally possess a firearm. There is nothing in South Dakota Statute/Administrative Rules that requires a carrier to inform an Officer that they are carrying upon official contact by a Law Enforcement Officer but never lie to an Officer on any type of official contact.

Carry In State Parks//WMA/Road Side Rest Areas & St. /Nat. Forests

Carry Allowed in these Areas:

***State Parks: YES § 1-26-6.10.**

State/National Forests: YES § 1-26-6.10.

State WMA: YES § 1-26-6.10.

Road Side Rest Areas: YES § 1-26-6.10.

***Notice:** If State Park Carry is Legal in this state and if that state park is located on a lake created by the US Army Corp of Engineers (COE) who owns the land and leases it to the state for that park the park is Off Limits to the legal carrying of firearms per federal law. **36 CFR 327.13** District Commanders received this Memorandum detailing how they could authorize someone to carry on (COE) property. The (COE) has also put out a Pamphlet on carrying firearms on (COE) Property. They do not post their property you must know the boundaries. Hunting **is usually** allowed during hunting season.

RV/Car Carry Without a Permit/License

South Dakota - Effective date for Permitless Carry: **July 1, 2019** Any person 18 years of age or older who can legally possess a firearm under State and Federal Law can carry a concealed handgun in the State of South Dakota without a permit. **South Dakota Statute § 23-7-7**

23-7-7. Permit to Carry Concealed Pistol--Background Investigation--Carrying Pistol Without Permit Not Prohibited.

A permit to carry a concealed pistol must be issued to any applicant by the sheriff of the county in which the applicant resides. The permit must be valid throughout the state and must be issued pursuant to § 23-7-7.1. For purposes of verifying the qualifications of an applicant, prior to issuing a permit, the sheriff shall execute, and the applicant shall pass, a background investigation, including a computer check of available on-line records and a check utilizing the National Instant Criminal Background Check System. The issuance of a permit to carry a concealed pistol under this chapter does not impose a general prohibition on the carrying of a pistol without a permit. SL 2022, ch 69, § 2.

Note: Anyone 18 years of age or older who can legally possess a firearm can carry concealed in South Dakota without Permit/License.

Open Carry (Without a Valid Permit/License)

Open Carry is legal. South Dakota is a permitless carry state. Anyone 18 or older who can legally possess a firearm can carry openly or concealed in South Dakota without a permit/license. Places as listed in the "Places Off Limits" above apply to those who open carry.

The state preempts all firearm laws in the state and local authorities can't have Laws/Ordinances against open carry. Remember that if you enter any property and the owner/responsible person ask you to leave you must leave. Failure to leave can result in Trespass Charges. The Minimum age for Open Carry is 18.

In some states Open Carry is forbidden in places where those with a valid permit/license can carry. This is not the last word on Open Carry in this state. Go to Google and type in State Name Open Carry or Open

Carry State Name for a search for open carry info in this state. Check with the **State's RKBA** Organization/s. Also see "Attorney General Opinions/Court Cases" Section for any written opinions/Cases on Open Carry.

State Preemption

7-18-35 1. Counties. 2. Townships. 3. Municipal Employees and Carrying Firearms
(This new Section and not numbered yet.)

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. SL 2025, ch 36, § 1

Note: There are restrictions where criminals are housed or while transporting etc. Read the Bill.

§ 7-18A-36. Firearms Regulation Prohibited - Action by Attorney General.

No county may pass an ordinance that restricts or prohibits, or imposes any tax, licensure requirement, or licensure fee on the possession, storage, transportation, purchase, sale, transfer, ownership, manufacture, or repair of firearms or ammunition or their components. Any ordinance prohibited by this section is null and void. The attorney general shall send a cease and desist order to any county that passes or enforces an ordinance in violation of this section. If the county fails to comply with the order, the attorney general shall bring an action in the name of the state for injunctive relief against any county that has passed an ordinance in violation of this section. A court shall grant any person charged with a violation of an ordinance prohibited under this section reasonable costs, expenses, and attorney's fees. This section does not apply to any generally applicable zoning ordinance, building regulation, or fire code so long as the ordinance, regulation, or code is not used to circumvent the prohibition under this section. SL 2019, ch 51, § 1.

§ 8-5-13. Firearms Regulation Prohibited - Action by Attorney General.

No township may pass an ordinance that restricts or prohibits, or imposes any tax, licensure requirement, or licensure fee on the possession, storage, transportation, purchase, sale, transfer, ownership, manufacture, or repair of firearms or ammunition or their components. Any ordinance prohibited by this section is null and void. The attorney general shall send a cease and desist order to any township that passes or enforces an ordinance in violation of this section. If the township fails to comply with the order, the attorney general shall bring an action in the name of the state for injunctive relief against any township that has passed an ordinance in violation of this section. A court shall grant any person charged with a violation of an ordinance prohibited under this section reasonable costs, expenses, and attorney's fees. This section does not apply to any generally applicable zoning ordinance, building regulation, or fire code so long as the ordinance, regulation, or code is not used to circumvent the prohibition under this section. SL 2019, ch 51, § 2.

§ 9-19-20. Firearms Regulation Prohibited. - Action by Attorney General.

No municipality may pass an ordinance that restricts or prohibits, or imposes any licensure requirement or licensure fee on the possession, storage, transportation, purchase, sale, transfer, ownership, manufacture, or repair of firearms or ammunition or their components. Any ordinance prohibited by this section is null and void. The attorney general shall send a cease and desist order to any municipality that passes or enforces an ordinance in violation of this section. If the municipality fails to comply with the order, the attorney general shall bring an action in the name of the state for injunctive relief against any municipality that has passed an ordinance in violation of this section. A court shall grant any person charged with a violation of an ordinance prohibited under this section reasonable costs, expenses, and attorney's fees. This section does not apply to

any generally applicable zoning ordinance, building regulation, or fire code so long as the ordinance, regulation, or code is not used to circumvent the prohibition under this section. SL 2019, ch 51, § 3

§ 1-26-6.10. Restriction of Licensee's Right or Privilege to Carry or Possess Pistol Prohibited.

No state agency may adopt or promulgate any rule that restricts any right or privilege to carry or possess a pistol pursuant to chapter 23-7. SL 2025, ch 9, § 18

Deadly Force Laws

Title 22: Crimes
Chapter 16 & 18

§ 22-16-30 Excusable homicide--Lawful acts.
§ 22-16-31 Excusable homicide--Heat of passion--Provocation--Sudden combat--Limitations.
§ 22-16-32 Justifiable homicide-Law enforcement officers or at command of officer—Overcoming resistance — Capturing or arresting fleeing felons.
§ 22-16-33 Justifiable homicide--Apprehending felon--Suppressing riot--Preserving peace.
§ 22-18-3 Lawful force in arrest and delivery of felon.
§ 22-18-4 Justifiable use of force to protect property--Use of deadly force--Duty to retreat.
§ 22-18-5 Reasonable force used by parent, guardian, or teacher in correcting child, pupil, or ward.
§ 22-18-6 Reasonable force used by carrier to expel passenger--Vehicle stopped.

Below are all new Statute sections 7/2021. See bill until state updates it Statues. HB1212
22-18-4. Force--Defense of Person. No Duty to Retreat
22-18-4.1 Deadly Force--Defense of Person. No Duty to Retreat
22-18-4.2 Defense of Dwelling or Residence--Force--Deadly Force. No Duty to Retreat
22-18-4.3 Imminent Death--Great Bodily Injury--Reasonable Fear.
22-18-4.4 Presumption of Fear--Exceptions.
22-18-4.5 Unlawful Entry--Presumption.
22-18-4.6 Force--Defense of Property Other Than a Dwelling. No Duty to Retreat
22-18-4.7 Deadly Force--Defense of Property Other Than a Dwelling. No Duty to Retreat (Stand Ground)
22-18-4.8 Immunity.
22-18-4.9 Aggressor--Use of Force--Justification Not Available.

Knife Laws State/Cities

To access State/Local Knife Laws Click "Here"

Carry in Restaurants That Serve Alcohol

YES **No Law Stating it is Illegal**

Note: A "YES" above means you can carry into places like described below. "NO" means you can't. Handgunlaw.us definition of "Restaurant Carry" is carry in a restaurant that serves alcohol. Places like Friday's or Red Lobster unless posted with "No Gun Signs." This may or may not mean the bar or the bar area of a restaurant. But you can carry your firearm into a restaurant that serves alcohol and sit and eat without consuming. Handgunlaw.us recommends you not sit at the Bar or in the Bar

area of such restaurants. In some states it is illegal to be in the Bar area of such restaurants. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm. If you want further info on carrying in places that serve alcohol check your state laws.

Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

Handgunlaw.us could find no restrictions in South Dakota Law concerning Chemical Sprays, Stun Guns Or Higher Capacity Magazine Bans.

LEOSA State Information

South Dakota LEOSA Information

AG's Explanationof the Law on Carrying Firearms in Vehicles.

See the LEOSA Section on the **USA Page** at Handgunlaw.us for more LEOSA Information.

Attorney General Opinions/Court Cases

Previous AG Opinions listed here no longer apply when South Dakota went Permitless Carry. (7/1/19)

Airport Carry/Misc. Information

Link to State Statutes

Airport Carry: **No law found.**

Training Valid for: **No set time period**

Time Period to Establish Residency: **30 Days**

Minimum Age for Permit/License: **18**

Permit/License Info Public Information: **NO**

State Reciprocity/How They Honor Other States Statute: **§ 23-7-7**

State Firearm Laws: **§ 23-7-1 thru § 23-7-46 & § 22-14-1 thru § 22-14-30 & § 13-32-7**

State Deadly Force Laws: **§ 22-16-30 thru § 22-16-33**

State Knife Laws: **§ 22-1-2**

Chemical/Electric Weapons Laws: **No Law Found.**

Body Armor Laws: **No laws found.**

Does Your Permit Cover Other Weapons Besides Firearms? **NO** **§ 23-7-1 & § 23-7-7.**

State Safe Storage/Access by Minors Statute/s: **No Statute Found**

Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal? **YES** SD Game, Fish and Parks Hunting Regulations

Notes:

What Does SD Consider A Loaded Firearm?

22-1-2. Terms Used in This Title Mean

(22A) "Loaded firearm," any functional firearm that contains a cartridge, shell, or projectile in the chamber, including any chamber in the cylinder of a revolver; SL 2026, ch 97, § 1.

State Emergency Powers

§ 34-48A-5. Authority of Governor in Time Of Disaster, Terrorist Attack, or Emergency. In The Event Of Disaster, War, Act of Terrorism as Defined in State Law, or Emergency That is Beyond Local Government Capability, the Governor:

(1) May assume direct operational control over all or any part of the emergency management functions within the state which may affect all or any portion of the state;

(2) May declare an emergency or disaster to exist in the stricken area and employ emergency management to assist local authorities to affect relief and restoration;

(3) May call upon and use any facilities, equipment, other nonmedical supplies, and resources available from any source, other than personal or private funds, in order to carry out the purposes of this chapter by contributing to the expense incurred in providing relief in such amounts as the Governor shall determine. However, nothing in this subdivision may be construed to authorize the taking of firearms, as defined in subdivision 22-1-2(16), without the consent of the owner;

(4) May suspend the provisions of any rules of any state agency, if strict compliance with the provisions of the rule would in any way prevent, hinder, or delay necessary action in managing a disaster, war, act of terrorism, or emergency, including fire, flood, earthquake, severe high and low temperatures, tornado storm, wave action, oil spill, or other water or air contamination, epidemic, blight, drought, infestation, explosion, riot, or hostile military or paramilitary action, which is determined by the Governor to require state or state and federal assistance or actions to supplement the recovery efforts of local governments in alleviating the damage, loss, hardship, or suffering caused thereby;

(5) May control the ingress and egress in a designated disaster or emergency area, the movement of vehicles upon highways within the area, the movement of persons within the area, and the occupancy of premises within the area;

(6) May procure, acquire, store, distribute, and dispense any pharmaceutical agents or medical supplies located within the state as may be reasonable and necessary to respond to the disaster, emergency, or act of terrorism;

(7) May appoint and prescribe the duties of such out-of-state health care providers as may be reasonable and necessary to respond to the disaster, emergency, or act of terrorism;

(8) May provide for the examination and safe disposal of any dead body as may be reasonable and necessary to respond to the disaster, emergency, or act of terrorism; and

(9) May provide for the protection, construction or reconstruction, repair, and maintenance of public or private transportation facilities.

The powers granted to the Governor under this section shall remain in effect for a period of six months and may be restored for one or more successive six-month periods by declaration of the Governor that the conditions permitting such powers persist. Source: SL 2020, ch 149, § 1,

34-48A-5.2. Governmental Authority--Emergencies--Limitations Related to Firearms and Weapons.

Except as otherwise provided in this section, no state agency, political subdivision, or any elected or appointed official or employee of this state or of a political subdivision may, under any governmental authority or color of law exercised pursuant to this chapter, including any statutorily authorized response to disaster, war, acts of terrorism, or emergencies of whatever kind or nature:

(1) Prohibit, regulate, or curtail the otherwise lawful possession, carrying, sale, transportation, transfer, defensive use, or other lawful use of any:

(a) Firearm, including any component or accessory;

(b) Ammunition, including any component or accessory;

(c) Ammunition-reloading equipment and supplies; or

(d) Personal weapons other than firearms;

(2) Seize, commandeer, or confiscate in any manner, any:

(a) Firearm, including any component or accessory;

(b) Ammunition, including any component or accessory;

(c) Ammunition-reloading equipment and supplies; or

(d) Personal weapons other than firearms;

(3) Suspend or revoke a permit to carry a concealed pistol issued pursuant to chapter 23-7, except as expressly authorized in that chapter;

(4) Refuse to accept an application for a permit to carry a concealed pistol, provided the application has been properly completed in accordance with chapter 23-7; 21.456.12 2 447

(5) Close or limit the operating hours of any entity engaged in the lawful selling or servicing of any firearm, including any component or accessory; ammunition, including any component or accessory; ammunition-reloading equipment and supplies; or personal weapons other than firearms, unless the closing or limitation of hours applies equally to all forms of commerce within the jurisdiction;

(6) Close or limit the operating hours of any indoor or outdoor shooting range; or

(7) Place restrictions or quantity limitations on any entity regarding the lawful sale or servicing of any:

(a) Firearm, including any component or accessory;

(b) Ammunition, including any component or accessory;

(c) Ammunition-reloading equipment and supplies; or

(d) Personal weapons other than firearms.

Nothing in this section precludes a law enforcement officer, who is acting in the lawful discharge of the officer's official duties and with or without a warrant, from temporarily disarming a lawfully detained person, if the officer reasonably believes that doing so is immediately necessary for the protection of the officer or another person. Unless the officer takes the person into custody for engaging in criminal activity or for observation, or unless the officer seizes the item as evidence pursuant to a criminal investigation, the officer shall return any item seized to the person.

Nothing in this section precludes a political subdivision that owns an indoor gun range, open to the public, from closing the indoor range for the period during which a certified range safety officer is unavailable, if the normal operating procedure of the range requires the presence of such a person.

Any person aggrieved by a violation of this section may file an action for damages, injunctive relief, or other appropriate redress in the circuit court having jurisdiction over the county in which the aggrieved person resides or in which the violation occurred. SL 2021, ch 157, § 1

Note: Federal Law can apply if the state is receiving monetary and/or other assistance from the Federal Government. See **US Code 42-5207** for Federal Law as it applies to States of Emergencies. The state quoted code may also not be all of the law on Emergency Powers held by the state. You should read the entire code on Emergency Powers etc for this state by following the link to the state code.

Minimum Age for Possessing and Transporting of Handguns.

South Dakota 18 Y/O **§ 23-7-46**

This is the minimum age for possessing and transporting a handgun in a vehicle without any type of permit/license to carry firearms.

This is not the last word on possession and transporting of handguns in this, or any other state. Study your state law further for more information. See "RV/Car Carry" Section Above for more information.

Note: In some states Possession and Transportation CAN be very restrictive in that you can ONLY possess and transport a handgun to and from a Shooting Range, Gun Shop, property you own or other places you can legally possess a handgun. Some states do not have this restriction.

Permit/License Image

The header plus color on the permit will show which of the three different permits it is that South Dakota Issues. They are plastic and the same size as SD Drivers Licenses. Back of all 3 is on the right.



Updates to this Page

Archive of Previous Updates 3

3/7/2025 – All Links Checked**.**
3/23/2025 – New Mexico Now Stating They Will Honor All South Dakota Permits. Map at Top of Page Updated.
7/1/2025 – Campus Carry Section Added per SB 100 . . 7-18-xx A New SD Statutes Added to Places Off Limits and Preemption Sections per HB 1218. . . 13-32-7 Updated in Places Off Limits per HB 1222. All Links Checked.
7/20/2025 – Board of Regents Adopted Weapons Policies Added to Campus Carry in Places Off Limits Section.
10/15/2025 – All External Links, Statutes and Admin Rules Quoted Have Been Checked and are up to Date and Point to the Most Up to Date Published Edition of that Statute/Admin Rule and/or Document.
1/20/2026 - All Links Checked and Repaired if Needed. On This Date All Statutes Quoted Checked and are Latest Version of That Statute.
3/15/2026 - All Links Checked and Repaired if Needed. On This Date All Statutes Quoted Checked and are Latest Version of That Statute.
6/7/2026- All Links Checked.
9/5/2026- All Links Checked.
9/17/2026 – Maine No Longer Honors the South Dakota Permit. South Dakota Still Honors the Maine Permit.
9/26/2026 – Period to Renew Permit Changed From 90 Days to 365 Day Prior to Expiration In How to Apply Section.