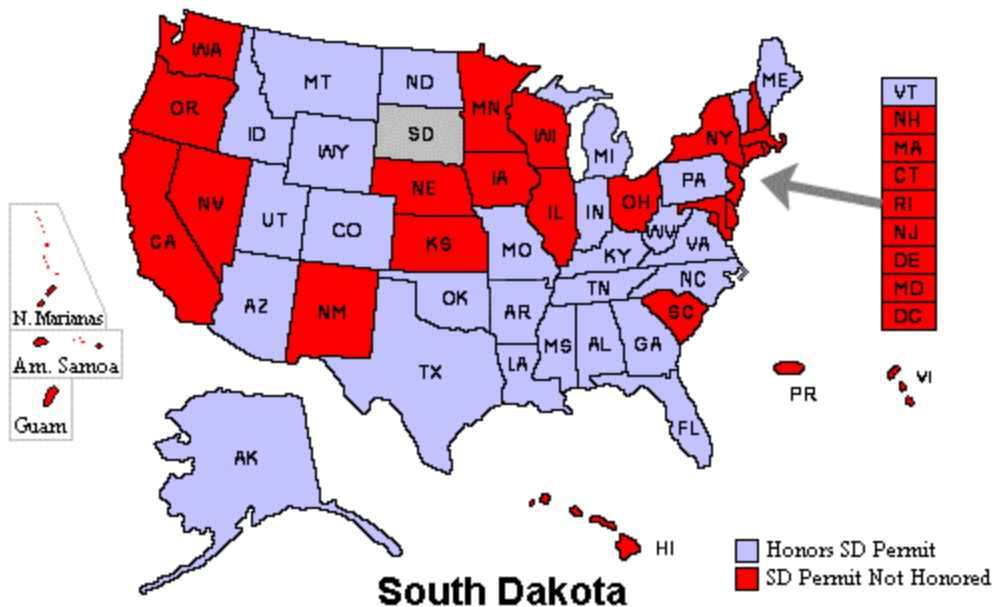


South Dakota

Shall Issue

Must Inform Officer: **NO**



Links

[State CCW Site](#)

[State CCW Pamphlet](#)

[CCW Application](#)

[State FAQ Site](#)

[State Statutes](#)

[State Admin Rules](#)

[State Reciprocity Info](#)

[State Attorney General](#)

[Local Sheriff CCW Info](#)

[Secretary of State](#)

Last Updated: 8/25/09

Permits/Licenses This State Honors

Recognition

The State of South Dakota recognizes any valid concealed pistol permit issued to a nonresident of South Dakota according to the terms of its issuance in the state of its issue. [SDCL 23-7-7.4](#)

South Dakota Honors Non-Resident Permits/Licenses

How to Apply for A Permit

Permit to Carry a Concealed Pistol

An individual who wishes to carry a concealed pistol on or about his person or in a vehicle must obtain a Permit to Carry a Concealed Pistol ([SDCL 22-14-9](#)). A person does not need a permit to own a pistol, keep it in his home, business, or property, or visibly carry it ([SDCL 22-14-11](#)).

Carrying a concealed pistol without a permit is a class 1 misdemeanor punishable by one year imprisonment in a county jail or one thousand dollars, fine, or both ([SDCL 22-14-9](#)).

A 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](#)).

A permit is valid for four years, and the fee is \$10.00 ([SDCL 23-7-8.2](#)).

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

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 two years imprisonment in the state penitentiary or a fine of two thousand dollars, or both.

Those considering carrying a firearm while riding a motorcycle or off-road vehicle should review [SDCL 32-20-6.6](#).

The applicant must also meet the following requirements ([SDCL 23-7-7.1](#)):

- Is eighteen years-of age or older;
- Has never pled guilty to, nolo contendere to, or been convicted of a felony or a crime of violence; *Note: "Crime of violence" 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 been a resident of the county or municipality where the application is being made for at least thirty days;
- Has had no violations of chapter [23-7](#), firearms control, [22-14](#), unlawful use of weapons, or [22-42](#), controlled substances; marijuana, in the five years preceding the date of application;
- Is a citizen of the United States; and
- Is not a fugitive from justice.

The sheriff will issue a temporary permit within five days from the date of application ([SDCL 23-7-7.1](#)).

Within seven days after the temporary permit has been issued, the sheriff sends a copy of the application to the secretary of state who issues the official permit ([SDCL 23-7-8](#)).

The permit is valid throughout South Dakota except in any licensed on-sale malt beverage or alcoholic beverage establishment that derives over one-half of its total income from the sale of malt or alcoholic beverages ([SDCL 23-7-8.1](#)); any county courthouse as defined in [SDCL 22-14-22](#); or any elementary or secondary schools ([SDCL 13-32-7](#)). The permit is not transferable from one person to another ([SDCL 23-7-8.3](#)).

Non-Resident Permits

South Dakota does not issue Non-Resident Permit/Licenses.

Places Off-Limits Even With A Permit/License

- Any licensed on-sale malt beverage or alcoholic beverage establishment that derives over one-half of its total income from the sale of malt or alcoholic beverages. [23-7-8.1](#)
- Courthouses [22-14-22](#).
- Elementary or Secondary School Premises or Vehicle [13-32-7](#).

Carry In State Parks/State & National Forests/WMA/Road Side Rest Areas

Carry Allowed in these Areas:

State Parks: YES 1-26-6.10.

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

WMA's: YES 1-26-6.10.

Road Side Rest Areas: YES

RV/Car Carry Without A Permit/License

§ 22-14-9 Carrying pistol or revolver without a permit as misdemeanor.

Any person, other than a law enforcement officer when acting as such, is guilty of a Class 1 misdemeanor if he:

(2) Carries a pistol or revolver, loaded or unloaded, concealed in any vehicle operated by him, without a permit as provided in chapter § 23-7.

The Attorney General gave an Unofficial Opinion on Car Carry on September 17, 2004. The Attorney General Stated that South Dakota Law allowed anyone to carry a loaded Firearm inside a vehicle without a permit as long as the firearm was visible. You can read the Attorney Generals Opinion at:

<http://www.sdsos.gov/adminservices/adminpdfs/scan.pdf>

State Preemption

§ 7-18A-36. Firearms regulation ordinances prohibited.

Firearms regulation ordinances prohibited. No county may pass any ordinance that restricts possession, transportation, sale, transfer, ownership, manufacture, or repair of firearms or ammunition or their components. Any ordinances prohibited by this section are null and void.

§ 8-5-13. Firearms regulation ordinances prohibited.

Firearms regulation ordinances prohibited. No township may pass any ordinance that restricts possession, transportation, sale, transfer, ownership, manufacture, or repair of firearms or ammunition or their components. Any ordinances prohibited by this section are null and void.

§ 9-19-20. Firearms regulation ordinances prohibited.

Firearms regulation ordinances prohibited. No municipality may pass any ordinance that restricts possession, transportation, sale, transfer, ownership, manufacture, or repair of firearms or ammunition or their components. Any ordinances prohibited by this section are null and void.

Deadly Force Laws

Title 22: Crimes

Chapter 16: Homicide and Suicide

22-16-33 Apprehending felon--Suppressing riot--Preserving peace.

22-16-34. Resisting attempted murder -- Resisting felony in dwelling house.

22-16-35. Defense of person -- Defense of other persons in household.

Knife Laws State/Cities

To access State/Local Knife Laws Click [“Here”](#)

Carry in Restaurants That Serve Alcohol

YES

Note: What is defined as carry in a restaurant that serves alcohol is a place like Friday’s or Red Lobster. This does not mean a bar or the bar area of a restaurant. 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.

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](#)

[Attorney General's Explanation Of The Law On Carrying Firearms In Vehicles.](#)

The Law Enforcement Officers Safety Act of 2004 amended the Federal criminal code to authorize qualified law enforcement officers (including certain qualified retired officers) carrying the photographic identification issued by their governmental agency, notwithstanding State or local laws, to carry a concealed firearm. The federal law provides that such authorization shall not supersede State laws that: (1) permit private entities to prohibit the possession of concealed firearms on their property; or (2) prohibit the possession of firearms on State or local government property. The law also excludes from the definition of "firearm" any machine gun, firearm silencer, or destructive device. [Click here to view the Enrolled Act.](#)

Attorney General Opinions/Court Cases

[South Dakota AG - Car Carry](#)

Airport Carry/Misc. Information

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 Fire arm 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 & 22-14-19 & 22-14-29

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.

Updates to this Page

5/27/09 – ME and VA added as states that honor a SD Permit/License

8/22/09 – All links checked and repaired if needed.

11/25/09 – Chemical/Electrical Weapons Law updated. Law Repealed.