



2025 South Dakota Legislature
Senate Bill 100
ENROLLED

AN ACT

ENTITLED 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.

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

Section 1. That a NEW SECTION be added to chapter 13-39A:

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.

Section 2. That a NEW SECTION be added to chapter 13-39A:

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.

Section 3. That a NEW SECTION be added to chapter 13-53:

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.

Section 4. That a NEW SECTION be added to chapter 13-53:

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.

I certify that the attached Act originated in
the:
Senate as Bill No. 100

Received at this Executive Office
this ____ day of _____,
2025 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this _____ day of
_____, A.D., 2025

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2025
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 100
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State