

## 2023 South Dakota Legislature House Bill 1173

Introduced by: Representative Randolph

# An Act to prevent the enforcement of federal laws and directives related to firearms, accessories, and ammunition.

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

#### 4 Section 1. That a NEW SECTION be added to title 23:

- No state agency, political subdivision, or any elected or appointed official or
  employee of this state or of a political subdivision may contract with or provide assistance
  to a federal agency or official with respect to the enforcement of a federal statute,
  regulation, or executive order, which imposes a prohibition, restriction, or requirement
- 9 that does not exist under the laws of this state, and relates to the sale, transfer,
- 10 <u>ownership, or possession of:</u>
- 11 (1) A firearm, or any component or accessory; or
- 12 (2) Ammunition, or any component or accessory.

#### 13 Section 2. That a NEW SECTION be added to title 23:

- 14 <u>Any elected or appointed official or employee of this state or of a political</u>
- 15 <u>subdivision who knowingly violates section 1 of this Act is subject to:</u>
- 16 (1) A civil penalty in the amount of \$1000 for a first violation; and
- 17 (2) A Class 1 misdemeanor for a second or subsequent violation.
- 18 Any civil penalty collected by a court in accordance with this section must be
- 19 <u>deposited into the state general fund.</u>

#### 20 Section 3. That a NEW SECTION be added to title 23:

21 This Act does not apply to any contract requiring the provision of assistance in the

#### 22 <u>enforcement of a federal statute, regulation, or executive order, if the contract was</u>

23 <u>entered into before July 1, 2023.</u>