



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

Does the state of South Dakota recognize Idaho's Concealed Weapons License?

- Regular: IDAHO CODE § 18-3302
- Enhanced: IDAHO CODE § 18-3302K
- Both
- Neither

Does the state of South Dakota require a reciprocity agreement?

- No *although preferred (agreement last updated in January 2017)*
- Yes

If yes, is a formal agreement, such as a Memorandum of Agreement, required or will a less formal agreement, such as exchange of letters acknowledging reciprocity of our states' Concealed Weapons Licenses suffice?

- Memorandum of Agreement
- Exchange of Letters

Teresa J. Bray  
Name

Deputy Secretary of State  
Title

9/6/2018  
Date

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*South Dakota Secretary of State*  
SHANTEL KREBS

September 5, 2018

Stephanie A. Altig  
Lead Deputy Attorney General  
Idaho State Police  
Criminal Law Division  
700 S. Stratford Dr.  
Meridian, ID 83642

Re: South Dakota Concealed Pistol Permits Reciprocity with the State of Idaho

Dear Ms. Altig:

The purpose of this letter is to provide you with updated information regarding concealed carry permits in South Dakota and to confirm that the reciprocity or recognition agreement between Idaho and South Dakota is still valid. In your earlier correspondence you noted that Idaho recognizes all other states' valid permits, including South Dakota's permits.

As with Idaho, South Dakota is a recognition state. In SDCL 23-7-7.4, it states, "Any valid permit to carry a concealed pistol, issued to a nonresident of South Dakota, is valid in South Dakota according to the terms of its issuance in the state of its issue, but only to the extent that the terms of issuance comply with any appropriate South Dakota statute or promulgated rule. However, if the holder of such a nonresident permit to carry a concealed pistol becomes, at any time, a legal resident of South Dakota, the provisions of this section no longer apply." In short this means that South Dakota recognizes all of Idaho's valid permits.

Since our last communication, the statutes regarding our South Dakota concealed pistol permits were changed during the legislative session earlier this year. A copy of the updated Firearms Laws Handbook for our state has been enclosed for your reference.

South Dakota continues to maintain three types of permits – Regular, Gold Card, and Enhanced. The significant change is regarding the Enhanced Permit. Previously the permit could be issued by the county sheriff to individuals passing the background investigation and FBI fingerprint background check (plus NICS, NCIC and Triple I), along with completion of the qualifying handgun course that includes live fire qualification, who are 18 years of age and older. House Bill 1083 changed the age for the Enhanced Permit to 21 years of age and older. In addition, a new level for the Restricted Enhanced Permit was created for individuals between 18 to 20 years of age, inclusive, with the same requirements.

Another change that was passed in the 2018 Legislative Session is the requirement for all applicants for a Regular Permit to also pass a NICS background check. It should also be pointed out that the Bureau of Alcohol, Tobacco and Firearms approved compliance for purchase exemption under the Brady Handgun Violence Prevention Act for the Enhanced and Gold Card Permits in February 2017.

Thank you for your time in reviewing our legislative changes. Our residents greatly appreciate Idaho continuing to recognize South Dakota Concealed Pistol Permits. On behalf of our citizens, thank you.

Sincerely,

A handwritten signature in cursive script that reads "Teresa J. Bray". The signature is written in black ink and is positioned above the printed name.

Teresa J. Bray  
Deputy Secretary of State

Enclosures