South Dakota Secretary of State
SHANTEL KREBS

January 28, 2016

Idaho State Police
Attn: Office of the Attorney General
700 S. Stratford Dr.
Meridian, ID 83642

Re: Concealed Pistol Permits Reciprocity with the State of Idaho

The purpose of this letter is to provide you with updated information regarding conceal carry permits in South Dakota and to confirm that the reciprocity agreement between Idaho and South Dakota is still valid, with Idaho recognizing both South Dakota's regular and enhanced pistol permits.

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 other states valid permits for residents and non-residents. Those holding a valid permit from your state may carry concealed within our state under the firearms laws regulating such.

July 1, 2015, the enhanced pistol permit became effective in our state. In addition to the requirements for the regular pistol permit, the enhanced permit must include: (**1**) The application for the optional enhanced permit to carry a concealed pistol; (**2**) A copy of the applicant's fingerprints for submission to the Federal Bureau of Investigation, and any governmental agency or entity authorized to receive such information, for a state, national, and international criminal history background check; (**3**) An authorization to run a fingerprint background check; (**4**) A separate payment for the cost of processing the fingerprint background check; (**5**) A separate application fee of one hundred dollars for the optional permit to carry a concealed pistol; and (**6**) Proof that the applicant has successfully completed a qualifying handgun course. Qualifying handgun course must include instruction in each of the following:

- South Dakota law relating to firearms and the use of force;
- The basic concepts of the safe and responsible use of handguns;
- Self-defense principles; and
- Live fire training including the firing of at least ninety-eight rounds of ammunition by the student.

We have enclosed an updated copy of our firearms laws, the brochure for South Dakota Concealed Carry Pistol Information, and a copy of what the regular and enhanced permits look like. The updated laws regarding the enhance permit are covered under SDCL 23-7-53 to 23-7-59.

SOUTH DAKOTA STATE CAPITOL • 500 E. CAPITOL AVE. • PIERRE, SD 57501
www.SDSOS.gov • phone 605 773 3537 • corporations 605 773 4845 • fax 605 773 6580
sdsos@state.sd.us • Twitter @SOSKrebs

The citizens of South Dakota greatly value Idaho recognizing their concealed carry permits. Our state hopes to continue our current reciprocity agreement. We would appreciate written confirmation of the continuation of this agreement. Should you have any questions or need additional information, please feel free to contact Teresa Bray, Deputy Secretary of State, Administrative Services.

Sincerely,

Shantel Krebs

Shantel Krebs
Secretary of State

Enclosures: South Dakota Firearms Laws Handbook
South Dakota Concealed Carry Pistol Information Brochure
Sample Copy of Regular and Enhanced Pistol Permits

Pistol Permit Examples

STATE OF SOUTH DAKOTA
Permit to Carry a Concealed Pistol

JOHN J DOE
500 ANYWHERE STREET
PIERRE SD 57501

PERMIT:	**111222**		
DOB:	**1/13/1955**	WGT:	**213**
HGT:	**6/00**	EYES:	**GREEN**
HAIR:	**BROWN**	EXPIRES:	**1/13/2011**

STATE OF SOUTH DAKOTA
Enhanced Permit to Carry a Concealed Pistol

JOHN J DOE
500 ANYWHERE STREET
PIERRE SD 57501

PERMIT:	**111222**		
DOB:	**1/13/1955**	WGT:	**213**
HGT:	**6/00**	EYES:	**GREEN**
HAIR:	**BROWN**	EXPIRES:	**1/13/2011**

Pistol Permit Back

The person issued this permit is entitled to carry a concealed pistol anywhere in South Dakota except where prohibited by law. This permit is not transferable.

Shantel Krebs
Secretary of State

Frequently Asked Questions

What do I do if I need to change my address?
Write a letter to the SOS office with name, DOB, old address, new address, permit number and $2 (cash, check or money order).

What do I do if I need to change my last name because I recently got married?
Write a letter to the SOS office with name, DOB, address, permit number and $2 (cash, check or money order).

What do I do if I lost my permit?
Write a letter to the SOS office with name, DOB, address, and $2 (cash, check or money order)

Where do I go when it is time to renew my permit?
Go to your local sheriff's office to reapply.

Does South Dakota issue non-resident permits?
No, but South Dakota does recognize all other states valid concealed weapon permits.

How long does it take to obtain residency in the state?
30 days

Can I openly carry?
South Dakota is an open carry state.

Is there a limit to the amount of ammo I can carry?
Please call the Attorney General's Office for clarification (605) 773-3215

If I am pulled over, do I need to let law enforcement know I have a concealed carry?
Please call the Attorney General's Office for clarification (605) 773-3215

How should I carry my concealed carry in my vehicle?
Refer to 32-20-6.6. or call the Attorney General's Office for clarification (605) 773-3215

How should I carry my concealed carry on my motorcycle?
Refer to (32-20-6.6). or call the Attorney General's Office for clarification (605) 773-3215

Can I find out who has a concealed weapons permit?
No, it is a closed database.

Can I have both the regular concealed weapons permit and the enhanced permit?
Yes, you may carry both types of permits.

What is the difference between a regular permit and an enhanced permit?
The difference is the training and fingerprint background check for the enhanced permit, along with the higher fee and the color of the permit being blue.

Will out-of-state training courses be accepted for the training requirement of the enhanced permit?
No, the South Dakota training course must be completed.

Contact Us

Secretary of State
Capitol Building
500 East Capitol Avenue
Suite 204
Pierre, SD 57501-5070

Phone: *(605) 773-3537*
Fax: *(605) 773-6580*
Email: *sdsos@state.sd.us*

pistolpermit@state.sd.us

STATE OF SOUTH DAKOTA
Permit to Carry a Concealed Pistol

JOHN J DOE
500 ANYWHERE STREET
PIERRE SD 57501

PERMIT:	111222		
DOB:	1/13/1955	WGT:	213
HGT:	6/00	EYES:	GREEN
HAIR:	BROWN	EXPIRES:	1/13/2020

Pistol Permit Back

The person issued this permit is entitled to carry a concealed pistol anywhere in South Dakota except where prohibited by law. This permit is not transferable.

Shantel Krebs
Secretary of State

Active Duty Military and Spouses

23-7-7.5. 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** (see inside for provisions)

- Spouses of military personnel who have permanent residency in South Dakota but are posted elsewhere can apply for a South Dakota permit that would give them permission to carry a concealed weapon. The permit would be necessary if they visited South Dakota and wanted to carry a firearm.
- The measure authorizes military spouses who move to South Dakota from a different state to waive the 30-day wait period requirement for residency.
- The permit would be recognized in all states that South Dakota shares reciprocity.

Pistol Permit Counts

Fiscal year (July 1—June 30)

2015:
20,902 permits

2014:
18,656 Permits

2013:
26,863 Permits

2012:
17,610 Permits

South Dakota Secretary of State

Concealed Carry Pistol Information

"Here to serve you"

Telephone: 1-605-773-3537

Concealed Weapons Permit Information

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 five years, and the fee is $10.00 (**SDCL 23-7-8.2**). The fee for an enhanced permit is $100.

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: the applicant's complete 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 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 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 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 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 had no violations of chapter **(23-7)**, firearms control, **(22-14)**, unlawful use of weapons, or **(22-42)**, controlled substances; marijuana, constituting a felony or misdemeanor in the five years preceding the date of application or is not currently charged under indictment or information for such an offense;
- Is a citizen or legal resident of the United States; and
- Is not a fugitive from justice.
- The permit is valid throughout South Dakota except in any licensed on-sale malt beverage or alcoholic 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 13-27-7)**.

The permit is also valid in states in which South Dakota has reciprocity agreements **(SDCL 23-7-7.3).** The permit is not transferable from one person to another **(SDCL 23-7-8.3).**

In addition—Enhanced Permit Requirements

The application shall include: (1) The application for the optional enhanced permit to carry a concealed pistol; (2) A copy of the applicant's fingerprints for submission to the Federal Bureau of Investigation, and any governmental agency or entity authorized to receive such information, for a state, national, and international criminal history background check; (3) An authorization to run a fingerprint background check; (4) A separate payment for the cost of processing the fingerprint background check; (5) A separate application fee of one hundred dollars for the optional permit to carry a concealed pistol; and (6) Proof that the applicant has successfully completed a qualifying handgun course.

Qualifying handgun course must include instruction in each of the following:

- South Dakota law relating to firearms and the use of force;
- The basic concepts of the safe and responsible use of handguns;
- Self-defense principles; and
- Live fire training including the firing of at least ninety-eight rounds of ammunition by the student.

For questions on training and classes, please contact the South Dakota Division of Criminal Investigation, **(605) 773-3331.**

Recognition of Other States Permits

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)**

Reciprocity and Recognition States Where South Dakota Permits Are Recognized

Alabama	Louisiana	Pennsylvania
Alaska[1]	Maine[4]	Tennessee[1, 2]
Arizona	Michigan[1]	Texas
Arkansas	Minnesota[1, 3]	Utah[1, 2]
Colorado[1]	Mississippi	Vermont[4]
Florida[1, 2]	Missouri	West Virginia[1]
Georgia[1]	Montana	Wyoming[1]
Idaho	Nevada[3]	
Indiana	North Carolina[1]	
Iowa	North Dakota[2]	
Kansas[4]	Ohio[4]	
Kentucky[1]	Oklahoma	

1) Only South Dakota permits issued to those who are 21 years of age or older are recognized.

2) Reciprocity includes non-resident permits.

3) Only South Dakota enhanced permits are recognized.

4) Denotes states where South Dakota permits are recognized without reciprocity.

Concealed weapons permit holders are responsible for checking with the proper authorities prior to carrying concealed weapons.

State of South Dakota

file pls.

STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

IDAHO STATE POLICE
RECEIVED
FEB 0 1 2016
Office of the Attorney General

February 02, 2016

Shantal Krebs
SOUTH DAKOTA SECRETARY OF STATE
500 E. Capitol Ave.
Pierre, South Dakota 57501

Re: South Dakota and Idaho Concealed Weapons License Reciprocity

Dear Secretary Krebs:

Your letter to the Idaho State Police, Attn: Office of the Attorney General, dated January 28, 2016, has been referred to me for response.

Like South Dakota, Idaho recognizes and honors all other states' concealed weapons licenses/permit as long as they are current and valid in their state of issuance and in the licensee's physical possession. IDAHO CODE § 18-3302(5)(g).

Congratulations on your new enhanced concealed pistol permit laws. Idaho's experience with its enhanced concealed weapons licenses is that more of our sister states honor and grant or acknowledge reciprocity with the Idaho enhanced concealed weapons license than they do for Idaho's original concealed weapons license. South Dakota will likely have the same result.

Idaho's actual results of its inquiries to sister states concerning reciprocity are available on the Idaho State Police website at: https://www.isp.idaho.gov/BCI/concealedWeapons.html. When you click on the name of a state in the right hand column, it will open that state's most recent response when Idaho inquired about reciprocity. Idaho makes these inquiries every year on or about July 1.

Thank you for your letter and the additional information about South Dakota's concealed pistol permits. Unless you have an objection, I will ask Idaho State Police to post your letter and its enclosures on the website so it is readily available to the public.

Criminal Law Division, Idaho State Police
700 S. Stratford Drive, Meridian, Idaho 83642
Telephone: (208) 884-7050, Fax: (208) 884-7228

If I can answer any questions please do not hesitate to call or send me an email.

Sincerely,

Stephanie A. Altig

Stephanie A. Altig
Lead Deputy Attorney General
Idaho State Police