

2025 South Dakota Legislature

House Bill 1080**AMENDMENT 1080D
FOR THE INTRODUCED BILL**

1 **An Act to void covenants that prohibit or restrict the possession or use of firearms**
2 **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 chapter 43-12:**

5 A covenant running with the land may not prohibit, restrict, or have the effect of
6 prohibiting or restricting:

7 (1) The lawful possession, storage, or transportation of a firearm, any part of a firearm,
8 or ammunition; or

9 (2) The lawful discharge of a firearm.

10 ~~Any~~ If a provision in a covenant in violation of this section, ~~including one enacted~~
11 ~~before July 1, 2025,~~ is found to violate this section, that provision is void and
12 unenforceable. A provision that is void and unenforceable is severable and any remaining
13 provisions that can be given effect are not thereby affected.