SB 100 | CAMPUS CARRY FREQUENTLY ASKED QUESTIONS

1. **When did SB 100 go into effect?** July 1, 2025. The South Dakota Board of Regents (SDBOR) approved changes to system policies at its July 2025 meeting.
2. **Who does this impact within SDBOR?** The law permits all students, employees, or visitors to carry concealed firearms, stun guns, or mace/pepper spray on SDBOR property, provided they have the proper permits for a firearm and are not in an area where possession of those firearms, stun guns, or mace/pepper spray is lawfully restricted.
3. **What are the responsibilities for an individual who lawfully possesses a firearm on SDBOR property?** Each person who carries a concealed firearm on SDBOR property is individually responsible for doing so in a safe manner and complying with all applicable laws and policies related to the carrying, storing, securing, and use of the firearm. Compliance with SDBOR or university policy does not alleviate an individual's obligation to comply with other firearm laws that may apply, even while on SDBOR property.
4. **I don't have an enhanced permit or a restricted enhanced permit from South Dakota but I have something similar from another state. Can I carry my firearm under SB 100?**
   Reciprocal permits recognized in accordance with SDCL chapter 23-7 are included under SB 100. The South Dakota Secretary of State's Office is responsible for entering into reciprocity agreements with other states. Information from their office on reciprocal permits can be found here.
5. **Can I open carry a firearm?**
   SB 100 only applies to concealed carry. It remains a violation of SDBOR policy to openly carry any type of firearm on campus.
6. **What happens if I don't comply with the law on permitted weapons on campus?** Students and employees who do not possess or store a weapon in compliance with state law or SDBOR or university policy may be subject to discipline under the applicable conduct policies. Visitors to campus who do not comply with state law or applicable policy may be required to leave the university's premises.
7. **When is someone not "in possession" or "carrying" a weapon?** In general, carrying or possessing a weapon means that the weapon is on or about the individual's person. In the case of a firearm, this could mean in a holster or in a backpack or handbag. If a weapon is in a backpack or handbag, that bag should be close enough to the owner so the owner can maintain physical control over the bag (e.g., be able to grasp or hold the bag without materially changing their bodily position). If these circumstances are not present, the individual is responsible for storing their weapon in a locked case or safe.
8. **If I clearly see the outline or shape of a firearm under someone's clothing, is the weapon concealed or not?** If the firearm itself is not visible, it likely concealed and not a violation of the law or SDBOR policy.
9. **Should I report to law enforcement or campus security if someone has a firearm that is only partially concealed, or is inadvertently revealed?** Partial or inadvertent exposure of a concealed firearm is not necessarily a violation of the law or SDBOR policy. Brandishing a weapon (e.g., making a threatening gesture with a weapon) or otherwise threatening someone with the use of a weapon are unlawful acts, and should be reported immediately.
10. **Will my university provide a lockable case or safe for me to store my weapon in when I'm not carrying it?** No, an individual is responsible for making sure they have access to the necessary locking case or safe when not in possession of their firearm, stun gun, or pepper spray. A specific type of case or safe is not required, but it must lock. The consumer marketplace offers many choices for secure individual weapons storage that are suitable for storage in a home, car, office, or other location. Safes or cases will not be provided in residence halls, academic buildings, or other facilities, with the exception of existing storage facilities provided by university police departments at their headquarters. Merely stowing a weapon away from public view, such as in a closed drawer, backpack, or in a closet, is not sufficient storage. The weapon must be secured so that it is accessible only to the individual with a key or combination for the secure storage.
11. **Will the university maintain a list of students or employees of individuals who are carrying firearms on campus?** No. South Dakota law prohibits a university or its employees from maintaining a list or registry of gun owners. University faculty or staff, or other members of the university community may become aware if a person voluntarily self-identifies as a person carrying a concealed firearm, but they may not make a list or registry of such individuals.

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12. **Part of my university's campus is adjacent to an elementary school. Can I carry my firearm near the elementary school if I'm still on campus?** Individuals who carry firearms are responsible for complying with the restrictions or requirements imposed by applicable laws. South Dakota law (SDCL 13-32-7) and federal law (18 U.S.C. 922(q)) place certain restrictions on possession of a firearm on K-12 school property or in close proximity to a K-12 school. Compliance with SDBOR or university policy does not alleviate an individual's obligation to comply with other firearm laws that may apply, even while on SDBOR property.

13. **Will individuals carrying firearms on SDBOR property be required to take a gun safety course?** SDBOR policy does not require an additional gun safety course to possess a concealed firearm on SDBOR property, but the permits required by law to carry a concealed weapon on SDBOR property (the South Dakota enhanced restricted permit, temporary enhanced restricted permit, or reciprocal permits from other states) do require certain training in order to obtain the permit.

14. **What should I do in case of accidental discharge of a weapon?** Any discharge of a regulated weapon (e.g., concealed pistol, stun gun, or mace/pepper spray) on SDBOR property should be reported to campus safety, so the impact on any individuals or facilities can be assessed and responded to accordingly. If there is an injury or an immediate threat, call 911.

15. **Will weapons be allowed at athletic events?** As a general rule, yes; however, SB 100 does allow some events, due to factors like the location or size of the anticipated audience, to be designated as special events under SDBOR policy, in which case, firearms, stun guns, and mace/pepper spray will not be permitted. If weapons are prohibited because of special event status, metal detectors and armed security must be present at every public entrance to ensure prohibited weapons are not carried inside the event.

STUDENTS

1. **What can I do if I live in a residence hall and do not want to live in a residence hall room where a firearm is present?** Students may ask to be reassigned from their current housing assignment according to their university's housing policies and procedures.

2. **Will my university still store my hunting rifle or weapon on campus?** SB 100 does not change existing SDBOR or university policies related to hunting rifles or other weapons. Most campuses provide a storage location for weapons that are not permitted in residence halls and will continue to do so. Firearm storage for concealed pistols, stun guns, or pepper spray/mace is the responsibility of the individual owner, but owners may opt to utilize the generally-available university storage facility if they choose.

3. **Can I keep my weapon in my car?** Yes, if the car is locked and the weapon is stored away from public view.

4. **Can I keep my weapon in a locker in the wellness center while I work out?** If the locker is securely locked with a padlock or other locking mechanism, and not merely closed and latched, a locker can be considered a locked case for purposes of being securely stored under SDBOR policy.

5. **Does SB 100 allow me to carry the listed weapons in my fraternity or sorority house?** Fraternity and sorority houses are privately owned by entities that are not under the authorization of the SDBOR or its institutions. If the owner of the house does not permit such weapons, an occupant must abide by those rules or policies.

EMPLOYEES

1. **Can employees restrict weapons in their classrooms or offices?** No, an employee may not individually determine where weapons are allowed. State law specifies where weapons may be prohibited, and SDBOR or university policy outlines the process to restrict weapons in specific areas in accordance with the law.

2. **Can I ask an individual if they have the required permit for a concealed pistol or how can I verify that information?** If you have concerns about an individual's compliance with firearm possession, you should direct those concerns to campus safety, and not attempt to address them yourself.

Information about campus safety resources, such as reporting and threat assessment, are available from each SDBOR campus. Contact your campus safety office for more information about campus-specific resources.

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