

AN ACT

ENTITLED, An Act to revise certain provisions relating to the disposition of confiscated weapons and firearms.

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

Section 1. That § 23A-37-13 be amended to read as follows:

23A-37-13. Any controlled weapon or firearm used in violation of chapter 22-14 shall be disposed of as follows:

- (1) If it is stolen, it shall be returned to the lawful owner upon proof of ownership; or
- (2) If it is illegal, it shall be destroyed pursuant to law; or
- (3) If it is neither stolen nor illegal, it shall be delivered to the arresting agency or, at the direction of the attorney general, to the South Dakota Forensic Laboratory for scientific examination purposes, for lawful use or disposal.

In the case of a disposition pursuant to subdivision (3), the arresting agency or forensic laboratory may use, trade-in, destroy, or sell, as provided in § 5-23-32, 5-24-9.2 or 6-13-6, the controlled weapon or firearm.

Section 2. That chapter 23A-37 be amended by adding thereto a NEW SECTION to read as follows:

Any moneys derived by the South Dakota Forensic Laboratory from the sale of weapons or firearms pursuant to section 1 of this Act shall be deposited in the law enforcement officers training fund.

An Act to revise certain provisions relating to the disposition of confiscated weapons and firearms.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1075

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1075

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
SS.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State