

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

652U0470

## HOUSE BILL NO. 1150

Introduced by: Representatives Novstrup (David), Cronin, Dryden, Gibson, Hajek, Hoffman, Hunhoff (Bernie), Kaiser, Lust, Rozum, and Solum and Senators Krebs, Brown, Buhl, Hunhoff (Jean), Kirkeby, Lucas, Peters, Soholt, and Tidemann

1 FOR AN ACT ENTITLED, An Act to amend provisions relating to violations of no contact  
2 orders.

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

4 Section 1. That § 25-10-13 be amended to read as follows:

5 25-10-13. If a temporary protection order or a protection order is granted pursuant to this  
6 chapter or a foreign protection order recognized pursuant to § 25-10-23 or § 25-10-12.1, or if  
7 a no contact order is issued pursuant to § 25-10-25, and the respondent or person to be restrained  
8 knows of the order, violation of the order is a Class 1 misdemeanor. If any violation of this  
9 section constitutes ~~an assault pursuant to~~ a violation of § 22-18-1 or § 22-19A-1, the violation  
10 is a Class 6 felony. If a respondent or person to be restrained has been convicted of, or entered  
11 a plea of guilty to, two or more violations of this section, the factual basis for which occurred  
12 after the date of the second conviction, and occurred within ten years of committing the current  
13 offense, the respondent or person to be restrained is guilty of a Class 6 felony for any third or  
14 subsequent offense. Any proceeding under this chapter is in addition to other civil or criminal



1 remedies.

2 Section 2. That § 22-19A-2 be amended to read as follows:

3 22-19A-2. Any person who violates § 22-19A-1 when there is a temporary restraining order,  
4 or an injunction, or a protection order, or a no contact order issued pursuant to § 25-10-23 or  
5 § 25-10-25 in effect prohibiting the behavior described in § 22-19A-1 against the same party,  
6 is guilty of a Class 6 felony.