2023 South Dakota Legislature

Senate Bill 48

ENROLLED

AN ACT

ENTITLED An Act to enhance the penalty for attempted first degree murder of a law enforcement officer.

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

Section 1. That § 22-4-1 be AMENDED:

22-4-1. Unless specific provision is made by law, any person who attempts to commit a crime and, in the attempt, does any act toward the commission of the crime, but fails or is prevented or intercepted in the perpetration of that crime, is punishable for the attempt at a maximum sentence of one-half of the penalty prescribed for the underlying crime. Unless specific provision is made by law, any person who attempts to commit a Class A, Class B, or Class C felony is guilty of a Class 2 felony.

Section 2. That chapter 22-4 be amended with a NEW SECTION:

Notwithstanding § 22-4-1, attempted first degree murder, as defined by § 22-16-4, if committed against a law enforcement officer while the officer was engaged in the performance of the officer's duties, is a Class 1 felony.

An Act to enhance the penalty for attempted first degree murder of a law enforcement officer.

I certify that the attached Act originated in the:

Senate as Bill No. 48

_____
Secretary of the Senate

_____
President of the Senate

Attest:

_____
Secretary of the Senate

_____
Speaker of the House

Attest:

_____
Chief Clerk

Received at this Executive Office
this _____ day of _____,

2023 at _____M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2023

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 2023
at _____ o'clock __M.

_____
Secretary of State

By _____
Asst. Secretary of State

Senate Bill No. 48
File No. _____
Chapter No. _____