

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

255Z0858

HOUSE JUDICIARY ENGROSSED NO. **HB 1285**
2/21/2018

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representative Bartling and Senator Heinert

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding community safety
2 zones.

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

4 Section 1. That chapter 22-24B be amended by adding a NEW SECTION to read:

5 Any person who travels to a secondary registered location or address that is located in the
6 community safety zone, and inhabits the location for more than twenty-four hours shall verbally
7 notify the law enforcement of jurisdiction prior to arriving at the location or residence. A
8 violation of this section is a Class 1 misdemeanor.

9 Section 2. That § 22-24B-23 be amended to read:

10 22-24B-23. No person who is required to register as a sex offender pursuant to this chapter
11 may establish a residence or reside within a community safety zone unless:

12 (1) The person is incarcerated in a jail or prison or other correctional placement which
13 is located within a community safety zone;

14 (2) The person is on parole or probation and has been assigned to a halfway house or



1 supervised living center within a community safety zone;

2 (3) The person is homeless and has been admitted to a community homeless shelter
3 within a community safety zone by an appropriate community official;

4 (4) The person is placed in a health care facility licensed pursuant to chapter 34-12, or
5 certified under Title XVIII or XIX of the Social Security Act as amended to
6 December 31, 2001, or receiving services from a community service provider
7 accredited or certified by the Department of Human Services or the Department of
8 Social Services, which is located within a community safety zone;

9 (5) The person was under age eighteen at the time of the offense and the offender was
10 not tried and convicted of the offense as an adult;

11 (6) The person established and inhabited the residence ~~prior to~~ as of July 1, 2006;

12 (7) The school, public park, public pool, or public playground was built or established
13 subsequent to the person's establishing residence at the location; or

14 (8) The circuit court has entered an order pursuant to § 22-24B-28 exempting the
15 offender from the provisions of §§ 22-24B-22 to 22-24B-28, inclusive.

16 A violation of this section is a Class 6 felony. Any subsequent violation is a Class 5 felony.