

State of South Dakota

EIGHTIETH LEGISLATIVE ASSEMBLY, 2005

916L0040

SENATE BILL NO. _____

Introduced by: _____

1 FOR AN ACT ENTITLED, An Act to CAMPBELL-----Theft by Forgery.

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

3 Section 1. That § 22-39-36 be amended to read as follows:

4 22-39-36. Any person who, with intent to defraud, falsely makes, completes, or alters a
5 written instrument of any kind, or passes ~~such an~~ any forged instrument of any kind is guilty of
6 forgery. Forgery is a Class 5 felony.

7 Section 2. That § 22-39-38 be amended to read as follows:

8 22-39-38. Any person who ~~possesses a forged instrument,~~ with the intent to defraud,
9 possesses any forged instrument with the knowledge that the instrument has been forged is
10 guilty of a ~~Class 6 felony. No person shall be convicted under this section unless he possesses~~
11 ~~the forged instrument with knowledge that it is forged and with intent to defraud~~ possessing a
12 forged instrument. Possessing a forged instrument is a Class 6 felony.

