

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

616A0005

HOUSE ENGROSSED NO. **HB1071** - 2/21/97

Introduced by: Representatives Hunt and Brooks and Senator Munson (David)

1 FOR AN ACT ENTITLED, An Act to require that certain juveniles register with the sex
2 offender registry, to provide for the removal of certain persons from the sex offender
3 registry, and to revise the age for certain sex crimes.

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

5 Section 1. That § 22-22-31 be amended to read as follows:

6 22-22-31. Any person residing in this state who has been convicted whether upon a verdict
7 or plea of guilty or a plea of nolo contendere, or who has received a suspended imposition of
8 sentence which has not been discharged pursuant to § 23A-27-14 prior to July 1, 1995, for
9 commission of a sex crime, as defined in § 22-22-30, or any person who is a juvenile fifteen years
10 of age or older adjudicated of a sex crime, as defined in subdivisions 22-22-30(1) or (9), or of
11 felony sexual contact, as defined in § 22-22-7.2, shall, within ten days of coming into any county
12 to reside or temporarily domicile for more than thirty days, register with the chief of police of
13 the municipality in which the person resides, or, if no chief of police exists, then with the sheriff
14 of the county in which the person resides. A violation of this section is a Class 1 misdemeanor.
15 However, any subsequent violation is a Class 6 felony. Any person whose sentence is discharged
16 under § 23A-27-14 after July 1, 1995, shall forward a certified copy of such formal discharge

1 by certified mail to the Division of Criminal Investigation and to local law enforcement where
2 the person is then registered under this section. Upon receipt of such notice, the person shall be
3 removed from the sex offender registry open to public inspection and shall be relieved of further
4 registration requirements under this section.

5 Section 2. That chapter 22-22 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 Any person who, as a juvenile, was placed on the sex offender registry may petition the
8 circuit court for removal from the registry upon a showing that the person has not been
9 adjudicated or convicted of any sex offense for at least ten years and no longer constitutes a
10 threat to reoffend.

1 **BILL HISTORY**

2 1/23/97 First read in House and referred to Judiciary. H.J. 92

3 2/15/97 Scheduled for Committee hearing on this date.

4 2/15/97 Judiciary Title Amended.

5 2/15/97 Judiciary Do Pass Amended, Passed, AYES 7, NAYS 6. H.J. 510

6 2/19/97 Deferred to another day. H.J. 591

7 2/20/97 Motion to Amend, Passed. H.J. 615

8 2/20/97 Motion to Amend, Passed. H.J. 615

9 2/20/97 House of Representatives Do Pass Amended, Passed, AYES 52, NAYS 14. H.J. 616