

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

736C0493

SENATE BILL NO. 150

Introduced by: Senators Brosz, Everist, Flowers, Moore, and Whiting and Representatives
Brown (Jarvis), Duniphan, and Slaughter

1 FOR AN ACT ENTITLED, An Act to revise the elements of the crime of resisting arrest.

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

3 Section 1. That § 22-11-4 be amended to read as follows:

4 22-11-4. Any person who intentionally ~~prevents~~ or attempts to prevent a law enforcement
5 officer or jailer, acting under color of his authority, from effecting an arrest of the actor or
6 another, ~~by:~~

7 ~~(1) Threatening to use physical force or violence against the law enforcement officer or~~
8 ~~jailer or any other person; or~~

9 ~~(2) Using any other means which creates a substantial risk of causing physical injury to~~
10 ~~the law enforcement officer, jailer or any other person;~~

11 is guilty of resisting arrest. Resisting arrest is a Class 1 misdemeanor.