

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

565D0649

STYLE AND FORM VETO ENGROSSED NO. **HB1308** - 3/14/00

Introduced by: Representatives McIntyre, Brown (Jarvis), Brown (Richard), Clark, Duniphan, Fischer-Clemens, Fitzgerald, Garnos, Haley, Hennies, Hunt, Koetzle, Kooistra, Lockner, Lucas, Michels, Nachtigal, Patterson, Slaughter, Sutton (Daniel), and Wilson and Senators Duxbury, Albers, Brosz, Dunn (Rebecca), Flowers, Hutmacher, Lange, Lawler, Moore, Olson, Paisley, Reedy, Shoener, and Vitter

1 FOR AN ACT ENTITLED, An Act to prohibit the possession of certain forms of computer-
2 related child pornography.

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

4 Section 1. That § 22-22-23.1 be amended to read as follows:

5 22-22-23.1. Any person who knowingly possesses any ~~book, magazine, pamphlet, slide,~~
6 ~~photograph, or film depicting~~ depiction fixed in any tangible medium of expression of a minor
7 under the age of eighteen years engaging in a prohibited sexual act or in the simulation of such
8 act or whose knowing possession encourages, aids, abets, or entices any person to commit a
9 prohibited sexual act is guilty of a Class 6 felony.

10 Section 2. For the purposes of this Act, a depiction includes any depiction, representation,
11 or description, however perceived, and any data compilation or set of commands intended for
12 use to store, to retrieve, or to generate such depictions, representations, or descriptions by any
13 electronic means.

14 Section 3. For the purposes of this Act, the term, tangible medium of expression, includes,

- 1 without limitation, printed materials, plastic media, photographs, film, and any electronic
- 2 communications systems used to display depictions.

1 **BILL HISTORY**

2 1/24/00 First read in House and referred to committee assignment waived. H.J. 204

3 1/25/00 Referred to Judiciary.

4 2/2/00 Scheduled for Committee hearing on this date.

5 2/2/00 Judiciary Do Pass, Passed, AYES 12, NAYS 0. H.J. 362

6 2/3/00 House of Representatives Deferred to another day. H.J. 401

7 2/4/00 House of Representatives Deferred to another day. H.J. 433

8 2/7/00 House of Representatives Do Pass, Passed, AYES 64, NAYS 2. H.J. 453

9 2/8/00 First read in Senate and referred to Judiciary. S.J. 360

10 2/16/00 Scheduled for Committee hearing on this date.

11 2/16/00 Judiciary Do Pass, Passed, AYES 6, NAYS 0. S.J. 522

12 2/17/00 Senate Deferred to another day. S.J. 559

13 2/18/00 Senate Deferred to another day. S.J. 580

14 2/22/00 Senate Do Pass, Passed, AYES 34, NAYS 0. S.J. 609

15 2/23/00 Signed by Speaker. H.J. 833

16 2/23/00 Signed by President. S.J. 657

17 2/24/00 Delivered to the Governor. H.J. 866

18 3/14/00 Vetoed for style and form.

19 3/14/00 Senate Vetoed for style and form Passed, AYES 35, NAYS 0.

20 3/14/00 House of Representatives Vetoed for style and form Passed, AYES 64, NAYS 1.