

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

358H0670

SENATE JUDICIARY COMMITTEE ENGROSSED NO.

## HB 1283 - 02/11/2002

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

Introduced by: Representatives Eccarius and Michels and Senators Daugaard, Diedrich (Larry), and Everist

1 FOR AN ACT ENTITLED, An Act to establish the crime of physical abuse of an infant, to  
2 designate the offense as a crime of violence, and to provide certain penalties therefor.

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

4 Section 1. That § 22-18-1.1 be amended to read as follows:

5 22-18-1.1. Any person who:

- 6 (1) Attempts to cause serious bodily injury to another, or causes such injury, under  
7 circumstances manifesting extreme indifference to the value of human life;
- 8 (2) Attempts to cause, or knowingly causes, bodily injury to another with a dangerous  
9 weapon;
- 10 (3) Attempts to cause or knowingly causes any bodily injury to a law enforcement officer  
11 or other public officer engaged in the performance of the officer's duties;
- 12 (4) Assaults another with intent to commit bodily injury which results in serious bodily  
13 injury;
- 14 (5) Attempts by physical menace with a deadly weapon to put another in fear of imminent



1           serious bodily harm; ~~or~~

2       (6)    Is a convicted person under the jurisdiction of the Department of Corrections and  
3           attempts to cause, or knowingly causes bodily injury to a Department of Corrections  
4           employee, or authorized visitor, volunteer, or person under contract assigned to the  
5           Department of Corrections; or

6       (7)    Attempts to cause or causes serious bodily injury to an infant, less than three years  
7           old, by causing any intracranial or intraocular bleeding, swelling, or contusion to the  
8           brain, whether caused by blows, shaking, or causing the infant's head to impact with  
9           an object or surface;

10   is guilty of aggravated assault. Aggravated assault is a Class 3 felony. However, a violation of  
11   subdivision (7) is a Class 2 felony.