

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

292J0091

## HOUSE BILL NO. 1132

Introduced by: Representatives Cutler, Christensen, Hennies, McLaughlin, Rounds, and Wick and Senators McCracken, Abdallah, Earley, Kelly, and Knudson

1 FOR AN ACT ENTITLED, An Act to provide for the circumstances under which the state has  
2 jurisdiction over certain aircraft.

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

4 Section 1. For the purposes of this Act, the phrase, an aircraft in flight, means an aircraft  
5 from the moment all external doors are closed following boarding through the moment when  
6 one external door is opened to allow passengers to leave the aircraft. However, if there is a  
7 forced landing, the phrase, an aircraft in flight, means an aircraft from the moment all external  
8 doors are closed following boarding until competent authorities take over responsibility for the  
9 aircraft and the individuals and property on the aircraft.

10 Section 2. The aircraft jurisdiction of South Dakota includes any of the following aircraft  
11 in flight:

- 12 (1) Any civil aircraft in South Dakota;
- 13 (2) Any civil aircraft outside of South Dakota that has its next scheduled destination or  
14 last place of departure in South Dakota, if the aircraft next lands in South Dakota;
- 15 (3) Any civil aircraft outside of South Dakota on which any person commits an offense,



1           which if committed in the state would constitute a crime, if the aircraft lands in South  
2           Dakota with the person who committed the offense still on the aircraft;

3       (4)    Any civil aircraft outside of South Dakota against which any person commits an  
4           offense, as defined in subsection (d) or (e) of article I, section I of the Convention for  
5           the Suppression of Unlawful Acts against the Safety of Civil Aviation, if the aircraft  
6           lands in South Dakota with the person who committed the offense still on the  
7           aircraft; or

8       (5)    Any other civil aircraft leased without a crew to a lessee whose principal place of  
9           business is in South Dakota or, if the lessee does not have a principal place of  
10          business, whose permanent residence is in South Dakota.