

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

427J0472

HOUSE BILL NO. 1176

Introduced by: Representatives Madsen, Gillespie, McCaulley, Michels, and Weems and
Senators Albers and Schoenbeck

1 FOR AN ACT ENTITLED, An Act to revise the definition of criminal pedophilia.

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

3 Section 1. That § 22-22-30.1 be amended to read as follows:

4 22-22-30.1. Criminal pedophilia is any act of sexual penetration accomplished with a victim
5 less than thirteen years of age by any person twenty-six years of age or older ~~under any~~
6 ~~circumstances not constituting incest as defined in subdivision 22-22-1(6)~~. Criminal pedophilia
7 is a Class 1 felony. If any person is convicted of criminal pedophilia, the court shall impose a
8 minimum sentence of twenty-five years for a first offense. If any person is convicted for a
9 second offense, the court shall impose a sentence of life without parole.

