

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

394J0546

SENATE BILL NO. 93

Introduced by: Senators Albers, Dempster, Duniphan, Koetzle, Moore, Olson (Ed), Schoenbeck, and Sutton (Dan) and Representatives Gillespie, Buckingham, Christensen, Cutler, Dykstra, Hennies, Kraus, LaRue, Murschel, and Olson (Mel)

1 FOR AN ACT ENTITLED, An Act to provide that certain third and subsequent violations of
2 protection orders are felony offenses.

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

4 Section 1. That § 25-10-13 be amended to read as follows:

5 25-10-13. If a temporary protection order or a protection order is granted pursuant to this
6 chapter, and the respondent or person to be restrained knows of the order, violation of the order
7 is a Class 1 misdemeanor. If any violation of this section constitutes an assault pursuant to
8 § 22-18-1.1, the violation is a Class 6 felony. If a respondent or person to be restrained has been
9 convicted of, or entered a plea of guilty to, two or more violations of this section, the first of
10 which occurred within five years of committing the current offense, the respondent or person
11 to be restrained is guilty of a Class 6 felony for such third or subsequent offense. Any
12 proceeding under this chapter is in addition to other civil or criminal remedies.

