

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

472P0186

HOUSE BILL NO. 1238

Introduced by: Representatives Gillespie, Burg, Cutler, Deadrick, Dennert, Dykstra, Elliott, Engels, Feinstein, Gassman, Glenski, Halverson, Hargens, Krebs, Lucas, Miles, Nygaard, Peters, Rhoden, Sigdestad, Street, and Thompson and Senators Hanson (Gary), Abdallah, Albers, Apa, Heidepriem, and Olson (Ed)

1 FOR AN ACT ENTITLED, An Act to revise the limitation period for commencing child abuse
2 prosecutions.

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

4 Section 1. That chapter 23A-42 be amended by adding thereto a NEW SECTION to read
5 as follows:

6 If a defendant is charged with child abuse pursuant to chapter 26-10, an action described in
7 § 23A-42-2 shall be commenced at any time within fifteen years after the commission of the
8 crime.

9 Section 2. That § 23A-42-2 be amended to read as follows:

10 23A-42-2. In all other prosecutions for a public offense and all proceedings of a
11 quasi-criminal or penal nature, including the forfeiture of existing rights, the proceedings shall
12 be commenced within seven years after the commission of the offense or crime which is the
13 basis of the prosecution or proceedings, except as provided in § 23A-42-3 and section 1 of this
14 Act.

