

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

596Z0686

SENATE JUDICIARY ENGROSSED NO. **HB 1293** - 2/28/2018

Introduced by: Representatives Smith, Ahlers, Bartling, Bordeaux, Glanzer, Hawley, Holmes, Jamison, Johns, Lesmeister, McCleerey, Ring, Stevens, Wismer, and Zikmund and Senators Killer, Frerichs, Heinert, Kennedy, Kolbeck, Maher, Nesiba, and Sutton

1 FOR AN ACT ENTITLED, An Act to increase the penalty for certain assaults committed
2 against firefighters, ambulance service, or health care facility personnel while engaged in
3 the performance of their duties.

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

5 Section 1. That § 22-18-1.05 be amended to read:

6 22-18-1.05. Simple assault, as provided in § 22-18-1, if committed against a law
7 enforcement officer, firefighter, ambulance service personnel, Department of Corrections
8 employee or person under contract assigned to the Department of Corrections, or other public
9 officer, which assault occurred while ~~such~~ the officer or employee was engaged in the
10 performance of the officer's or employee's duties, is a Class 6 felony.

11 Aggravated assault, as provided in § 22-18-1.1, if committed against a law enforcement
12 officer, firefighter, ambulance service personnel, Department of Corrections employee or person
13 under contract assigned to the Department of Corrections, or other public officer, which assault



1 occurred while ~~such~~ the officer or employee was engaged in the performance of the officer's or
2 employee's duties, is a Class 2 felony.

3 The penalties in this section also apply to a simple assault or aggravated assault if committed
4 against any health care facility personnel while the personnel was engaging in patient care.