



2024 South Dakota Legislature
House Bill 1104
ENROLLED

AN ACT

ENTITLED An Act to enhance the penalty for accessory to first- or second-degree murder.

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

Section 1. That § 22-3-5 be AMENDED:

22-3-5. A person is an accessory to a crime, if, with intent to hinder, delay, or prevent the discovery, detection, apprehension, prosecution, conviction, or punishment of another for the commission of a felony, that person renders assistance to the other person. There are no accessories to misdemeanors.

The term, render assistance, means to:

- (1) Harbor or conceal the other person;
- (2) Warn the other person of impending discovery or apprehension, other than a warning given in an effort to bring the other person into compliance with the law;
- (3) Provide the other person with money, transportation, a weapon, a disguise, or any other thing to be used in avoiding discovery or apprehension;
- (4) Obstruct anyone by force, intimidation, or deception in the performance of any act which might aid in the discovery, detection, apprehension, prosecution, conviction, or punishment of the other person; or
- (5) Conceal, destroy, or alter any physical evidence that might aid in the discovery, detection, apprehension, prosecution, conviction, or punishment of the other person.

A violation of this section is a Class 5 felony. A violation of this section is a Class 4 felony if the person is an accessory to the crime of murder in the first degree pursuant to § 22-16-4 or murder in the second degree pursuant to § 22-16-7.

An Act to enhance the penalty for accessory to first- or second-degree murder.

I certify that the attached Act originated in
the:
House as Bill No. 1104

Received at this Executive Office
this ____ day of _____,
2024 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2024

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2024
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1104
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State