



2023 South Dakota Legislature
Senate Bill 129
ENROLLED

AN ACT

ENTITLED An Act to include school employees in certain assault provisions and provide a penalty therefor.

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

Section 1. That § 22-18-1.05 be AMENDED:

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

Aggravated assault, as provided in § 22-18-1.1, if committed against a law enforcement officer, firefighter, ambulance service personnel, Department of Corrections employee or person under contract assigned to the Department of Corrections, or other public officer, which assault occurred while the officer or employee was engaged in the performance of the officer's or employee's duties, is a Class 2 felony.

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

The penalties in this section also apply to a simple assault or aggravated assault if committed against any public or non-public school employee while the employee was engaged in a school activity.

An Act to include school employees in certain assault provisions and provide a penalty therefor.

I certify that the attached Act originated in
the:
Senate as Bill No. 129

Received at this Executive Office
this ____ day of _____,
2023 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this _____ day of
_____, A.D., 2023

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2023
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 129
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State