

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

400T0426

HOUSE JUDICIARY ENGROSSED NO. **SB 43** - 2/24/2012

Introduced by: The Committee on Judiciary at the request of the Office of the Attorney General

1 FOR AN ACT ENTITLED, An Act to criminalize the failure to report the death or
2 disappearance of a child within a specified time by certain persons responsible for the care
3 of the child.

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

5 Section 1. That chapter 22-11 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 Any parent, legal guardian, or caretaker who knowingly fails to notify law enforcement
8 within forty-eight hours of learning that a child, in his or her care and less than thirteen years
9 of age, is missing is guilty of a Class 1 misdemeanor.

10 Section 2. That chapter 22-11 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 Any parent, legal guardian, or caretaker who knowingly fails to notify law enforcement
13 within six hours of learning of the death of a minor child in his or her care is guilty of a Class
14 5 felony. This section does not apply to any health care provider or to any facility licensed



1 pursuant to chapter 34-12.