



2022 South Dakota Legislature

House Bill 1272

Introduced by: **Representative** Reimer

1 **An Act to revise provisions related to counseling for domestic abuse defendants.**

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

3 **Section 1. That § 25-10-5.1 be AMENDED:**

4 **25-10-5.1.** If a court places a defendant on probation upon receiving a verdict or
5 plea of guilty for a crime involving domestic abuse, the court shall order that a condition
6 of the defendant's probation is that ~~he~~ the defendant attend family violence domestic
7 abuse counseling. Failure to attend ~~family violence domestic abuse~~ counseling is a
8 violation of the defendant's probation. Domestic abuse counseling must cover issues of
9 power and control, accountability, emotional regulation, and cognitive work addressing
10 errors in thinking. Individual counseling meeting the requirements of domestic abuse
11 counseling is acceptable. Additionally, the court may recommend group counseling
12 meeting the requirements of domestic abuse counseling, where available.