

2022 South Dakota Legislature

House Bill 1272**AMENDMENT 1272A FOR THE INTRODUCED BILL**

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~~ includes
9 issues of power and control, accountability, emotional regulation, and or cognitive work
10 addressing errors in thinking. ~~Individual counseling meeting the requirements of domestic~~
11 ~~abuse counseling is acceptable. Additionally, the~~ The court may recommend individual or
12 group counseling meeting the requirements of domestic abuse counseling, where
13 available.