



2022 South Dakota Legislature
Senate Bill 77
ENROLLED

AN ACT

ENTITLED An Act to enhance the penalty on registered sex offenders who commit sexual contact without consent from a person capable of consenting.

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

Section 1. That § 22-22-7.4 be AMENDED:

22-22-7.4. No person fifteen years of age or older may knowingly engage in sexual contact with another person other than his or her spouse who, although capable of consenting, has not consented to such contact. A violation of this section is a Class 1 misdemeanor. A violation of this section by a person registered as a sex offender pursuant to chapter 22-24B at the time of the offense is a Class 6 felony.

An allegation that a defendant is registered as a sex offender pursuant to chapter 22-24B must be filed as a separate information at the time of, or before, arraignment. The separate information must state the time and place of the defendant's conviction and the specific sex crime that resulted in the defendant's conviction. The separate information must be signed by the prosecutor.

An Act to enhance the penalty on registered sex offenders who commit sexual contact without consent from a person capable of consenting.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

Senate as Bill No. 77

2022 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., 2022

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2022
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 77
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State