



2022 South Dakota Legislature
House Bill 1113
ENROLLED

AN ACT

ENTITLED An Act to prohibit threats made with the intent to coerce an abortion and to provide a penalty therefor.

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

Section 1. That § 22-17-13 be AMENDED:

22-17-13. A person is guilty of a Class B felony if, with the intent to cause a pregnant mother to undergo an abortion against her will, the person:

- (1) Threatens to commit, against the pregnant mother or any other person within the pregnant mother's presence:
 - (a) Homicide, murder, or manslaughter, under chapter 22-16;
 - (b) Aggravated assault, under § 22-18-1.1; or
 - (c) Kidnapping, under chapter 22-19; and
- (2) The threat results in the death of the unborn human being, as defined under § 34-23A-1.

A charge brought under this section may be commenced at any time prior to the time the victim attains age twenty-five or within seven years of the commission of the crime, whichever is longer.

Section 2. That chapter 22-17 be amended with a NEW SECTION:

A person is guilty of a Class 5 felony if, with the intent to coerce a pregnant mother to undergo an abortion against her will, the person threatens to commit, against the pregnant mother or any other person within the pregnant mother's presence:

- (1) Homicide, murder, or manslaughter, under chapter 22-16;
- (2) Aggravated assault, under § 22-18-1.1; or
- (3) Kidnapping, under chapter 22-19.

A charge brought under this section may be commenced at any time prior to the time the victim attains age twenty-five or within seven years of the commission of the crime, whichever is longer.

Section 3. That § 22-17-14 be AMENDED:

22-17-14. A person is guilty of a Class 1 misdemeanor if the person:

- (1) In any manner other than that set forth in section 2 of this Act, coerces, compels, or attempts to compel a pregnant woman to undergo an abortion;
- (2) Requires a pregnant woman to agree to a provision that if she refuses to undergo an abortion, it is a breach of a contract; or
- (3) Requires a pregnant woman to agree to a provision that results in her assuming any cost, obligation, or responsibility for refusing to undergo an abortion.

A subsequent offense of this section is a Class 6 felony.

An Act to prohibit threats made with the intent to coerce an abortion and to provide a penalty therefor.

I certify that the attached Act originated in
the:
House as Bill No. 1113

Received at this Executive Office
this ____ day of _____,
2022 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2022

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

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

Secretary of the Senate

Secretary of State

House Bill No. 1113
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State