



2023 South Dakota Legislature

Senate Bill 115

Introduced by: **Senator Mehlhaff**

1 **An Act to revise certain provisions regarding consideration of out-of-state**
2 **convictions for driving under the influence.**

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

4 **Section 1. That § 32-23-4.5 be AMENDED:**

5 **32-23-4.5.** Any conviction for, or plea of guilty to, an offense in another state
6 which, if committed in this state, would be a violation of § 32-23-1, 22-18-36, or 22-16-
7 41, and occurring within ten years prior to the date of the violation being charged, ~~shall~~
8 or twenty-five years if the requirements of § 32-23-4.9 have been satisfied, must be used
9 to determine if the violation being charged is a second, third, or subsequent offense.