



2023 South Dakota Legislature  
**Senate Bill 48**  
**ENROLLED**

AN ACT

**ENTITLED An Act to enhance the penalty for attempted first degree murder of a law enforcement officer.**

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

**Section 1. That § 22-4-1 be AMENDED:**

**22-4-1.** Unless specific provision is made by law, any person who attempts to commit a crime and, in the attempt, does any act toward the commission of the crime, but fails or is prevented or intercepted in the perpetration of that crime, is punishable for the attempt at a maximum sentence of one-half of the penalty prescribed for the underlying crime. Unless specific provision is made by law, any person who attempts to commit a Class A, Class B, or Class C felony is guilty of a Class 2 felony.

**Section 2. That chapter 22-4 be amended with a NEW SECTION:**

Notwithstanding § 22-4-1, attempted first degree murder, as defined by § 22-16-4, if committed against a law enforcement officer while the officer was engaged in the performance of the officer's duties, is a Class 1 felony.

An Act to enhance the penalty for attempted first degree murder of a law enforcement officer.

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I certify that the attached Act originated in the:

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_,

Senate as Bill No. 48

2023 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., 2023

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
Speaker of the House

Attest:

Filed \_\_\_\_\_, 2023  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Secretary of State

Senate Bill No. 48  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State