



2024 South Dakota Legislature

House Bill 1046

Introduced by: **Representative Kull**

1 **An Act to prohibit the intentional disarming of a law enforcement officer and to**
2 **provide a penalty therefor.**

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

4 **Section 1. That a NEW SECTION be added to chapter 22-11:**

5 Any person who, through use of force or threat of force, intentionally disarms or
6 attempts to disarm a law enforcement officer, while the officer is engaged in the
7 performance of the officer's duties, without the officer's consent, is guilty of a Class 4
8 felony.

9 For the purposes of this section, the term "weapon" means any firearm, stun gun,
10 self-defense electronic control device, chemical irritant spray, or baton. The term "disarm"
11 means to take or remove a weapon from the person of the officer or the officer's immediate
12 presence through the physical act of grabbing, holding, seizing, pushing, lifting, picking
13 up, or other similar action.