

2024 South Dakota Legislature

Senate Bill 149**AMENDMENT 149A
FOR THE INTRODUCED BILL**

1 **An Act to establish the admissibility of evidence of similar acts in civil cases**
2 **involving sexual assault or child molestation.**

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

4 **Section 1. That a NEW SECTION be added to chapter 19-19:**

5 **(a) Permitted uses.** In a civil case involving a claim for relief based on a party's
6 alleged sexual assault or child molestation, the court may admit evidence that the party
7 was found to have committed any other sexual assault or child molestation. The evidence
8 may be considered as provided in Senate Bill 97 and Senate Bill 98, if enacted by the
9 Ninety-Ninth Session of the South Dakota Legislature.

10 **(b) Disclosure to the opponent.** If a party intends to offer this evidence, the
11 party must disclose it to the party against whom it will be offered, including witnesses'
12 statements or a summary of the expected testimony. The party must do so at least fifteen
13 days before trial or at a later time that the court allows for good cause.

14 **(c) Effect on other rules.** This rule does not limit the admission or consideration
15 of evidence under any other rule.