



2025 South Dakota Legislature

House Bill 1153

Introduced by: **Representative Kull**

1 **An Act to authorize a law enforcement officer to temporarily detain an individual**
2 **who is reasonably suspected of committing a crime and to provide a penalty**
3 **therefor.**

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

5 **Section 1. That a NEW SECTION be added to chapter 23A-35:**

6 A law enforcement officer, as defined in § 23-3-27, may stop any individual in a
7 public place when the officer reasonably suspects the individual is committing, has
8 committed, or is about to commit a crime. The officer may demand the individual's name
9 and may also request the individual's address and date of birth.

10 An officer may not detain an individual pursuant to this section for longer than is
11 reasonably necessary to affect the purposes of this section, and in no event longer than
12 sixty minutes. The detention may not extend beyond the place or immediate vicinity of
13 the place where the detention was first affected, unless the individual is arrested.

14 An individual who knowingly or intentionally refuses to provide the individual's
15 name as required by this section, is guilty of a Class 2 misdemeanor.