

## 2025 South Dakota Legislature

**Senate Bill 8****AMENDMENT 8C  
FOR THE SENATE JUDICIARY ENGROSSED BILL**

1 **An Act to establish certain criminal offenses for boat operators and to provide**  
2 **penalties 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 22-16:**

5 Any person who, while under the influence of alcohol, drugs, or substances, in a  
6 manner and to a degree prohibited by § 42-8-45, without design to effect death, operates  
7 a boat, as defined by § 42-8-2, in a negligent manner and thereby causes the death of  
8 another person, including an unborn child, is guilty of watercraft homicide, a Class 3  
9 felony.

10 **Section 2. That a NEW SECTION be added to chapter 22-18:**

11 Any person who, while under the influence of alcohol, drugs, or substances, in a  
12 manner and to a degree prohibited by § 42-8-45, without design to effect serious bodily  
13 injury, operates a boat, as defined by § 42-8-2, in a negligent manner and thereby causes  
14 the serious bodily injury of another person, including an unborn child, is guilty of  
15 watercraft battery, a Class 4 felony.

16 **Section 3. That a NEW SECTION be added to chapter 42-8:**

17 Any operator of a boat involved in an accident resulting in ~~serious bodily~~ injury or  
18 death to any person, who fails to immediately stop the boat at the scene of the accident  
19 and comply with the provisions of §§ 42-8-56 through 42-8-58, inclusive, is guilty of a  
20 Class 6 felony.