



## 2026 South Dakota Legislature

# Senate Bill 122

Introduced by: **Senator Perry**

1 **An Act to establish a duty to assist in an emergency and provide a penalty therefor.**

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

3 **Section 1. That a NEW SECTION be added to chapter 22-18:**

4 A person at the scene of an emergency who knows that another person is exposed  
5 to the risk of serious bodily injury or has suffered serious bodily injury shall, to the extent  
6 that the person may do so without danger to self or others, provide assistance to the  
7 person by obtaining or attempting to obtain aid from law enforcement or medical  
8 personnel. A violation of this section is a Class 2 misdemeanor.

9 A person who, without compensation or expectation of compensation, provides  
10 assistance in compliance with this section, is not liable for any civil damages as a result  
11 of an act or omission by the person in providing the assistance, unless the person acts in  
12 a willful, wanton, or reckless manner in providing the assistance. Immunity from liability  
13 under this section does not apply to a person providing assistance in the regular course  
14 of the person's employment and receiving or expecting to receive compensation for the  
15 assistance.