



2026 South Dakota Legislature

Senate Bill 152

Introduced by: **Senator Duhamel**

1 **An Act to establish provisions relating to the use of military protective orders upon**
2 **arrest and as evidence in an action for a protection order.**

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

4 **Section 1. That a NEW SECTION be added to chapter 23A-3:**

5 When a law enforcement officer arrests any person who is a member of, or
6 otherwise associated with, the armed forces of the United States, the officer must
7 determine whether a military protective order registered in the Federal Bureau of
8 Investigation's National Crime Information Center database has been issued against the
9 person. If the officer has probable cause to believe the person has violated the military
10 protective order, the officer must notify the authority that issued the military protective
11 order.

12 For purposes of this section, "military protective order" has the same meaning as
13 in 32 C.F.R. § 635.19 (January 23, 2026).

14 **Section 2. That a NEW SECTION be added to chapter 25-10:**

15 In any proceeding under this chapter, a military protective order, as defined in 32
16 C.F.R. § 635.19 (January 23, 2026), may be admitted as evidence in order to establish a
17 relevant pattern or course of conduct of the respondent.