



2026 South Dakota Legislature

House Bill 1300

Introduced by: **Representative Uhre-Balk**

1 **An Act to except victims of human trafficking or domestic abuse from certain**
 2 **clemency notice requirements.**

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

4 **Section 1. That a NEW SECTION be added to chapter 24-14:**

5 The provisions of § 24-14-4 do not apply to an applicant who is a victim of human
 6 trafficking or domestic abuse. To be recognized as a victim of human trafficking or
 7 domestic abuse, the individual shall submit to the Board of Pardons and Paroles:

8 (1) An affidavit of the individual stating that the individual is a victim of:

9 (a) Human trafficking under chapter 22-49;

10 (b) Domestic abuse, as defined in § 25-10-1; or

11 (c) A similar crime in another state that, if committed in this state, would be
 12 considered human trafficking or domestic abuse; and

13 (2) The affidavit of two professionals stating that, based on the professional's work
 14 with the individual, the professional believes the individual is a victim of human
 15 trafficking or domestic abuse as set forth in subdivision (1). The professionals, who
 16 may be from the same profession but may not be from the same agency, must be
 17 any two of the following:

18 (a) A law enforcement officer;

19 (b) A prosecutor;

20 (c) A parole agent;

21 (d) A qualified mental health professional;

22 (e) A licensed health care provider;

23 (f) An addiction counseling or prevention services practitioner; or

24 (g) A social worker, crisis counselor, or other advocate acting on behalf of an
 25 agency that assists victims of human trafficking or domestic abuse.