



2026 South Dakota Legislature

House Bill 1305

Introduced by: **Representative** Schaeffbauer

1 **An Act to prohibit the dissemination of location information about a public officer**
 2 **and provide a penalty and civil cause of action 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 22-11:**

5 No person may publicly disseminate the employment, home, or school address or
 6 location of a current or former public officer, or the officer's family or household member:

7 (1) Without the consent of the public officer; and

8 (2) With the intent to:

9 (a) Harass, intimidate, or threaten the public officer or the officer's family or
 10 household member; or

11 (b) Otherwise cause the public officer or the officer's family or household
 12 member to reasonably fear for the officer's safety or the safety of the
 13 officer's family or household member.

14 A violation of this section is a Class 6 felony.

15 **Section 2. That a NEW SECTION be added to chapter 20-9:**

16 In addition to the criminal penalty provided in section 1 of this Act, and any other
 17 civil or criminal remedy available under law, there is a civil cause of action for the
 18 dissemination of location information about a current or former public officer. The public
 19 officer may recover punitive, special, and general damages, including damages for
 20 emotional distress, and reasonable attorney fees and costs.

21 An action may be maintained under this section whether or not a person alleged
 22 to have violated section 1 of this Act is charged or convicted of the alleged crime.