

2026 South Dakota Legislature

Senate Bill 122**AMENDMENT 122A
FOR THE INTRODUCED BILL**

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

- 1 **An Act to establish ~~a duty to assist in an emergency~~ the crime of failure to summon**
2 **aid for a suicide attempt and provide a penalty 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 A person commits the offense of failure to summon aid for a suicide attempt if the
6 person:

7 (1) Is physically present at the scene of the attempt;

8 (2) Knows that another individual is attempting suicide or has inflicted self-harm that
9 creates an imminent risk of serious bodily injury; and

10 (3) Intentionally fails to promptly summon assistance by contacting law enforcement,
11 medical personnel, or another person reasonably likely to secure immediate
12 emergency assistance.

13 A violation of this section is a Class 1 misdemeanor.

14 **Section 2. That a NEW SECTION be added to chapter 22-16:**

15 It is a defense to section 1 of this Act if:

16 (1) The person:

17 (a) Reasonably feared imminent harm to self or others;

18 (b) Reasonably believed aid had already been summoned; or

19 (c) Is under the age of eighteen; or

20 (2) It was otherwise not reasonably possible for the person to summon aid.