

2026 South Dakota Legislature

House Bill 1305**AMENDMENT 1305C
FOR THE INTRODUCED BILL**

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 ~~During the time a public officer holds office and for two years thereafter, no~~
6 ~~person may publicly disseminate the employment, home, or school address or location of~~
7 ~~a current or former that~~ public officer, or the officer's **immediate** family or household
8 member:

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

10 (2) With the intent to:

11 (a) Harass, intimidate, or threaten the public officer or the officer's **immediate**
12 family or household member; or

13 (b) Otherwise cause the public officer or the officer's **immediate** family or
14 household member to reasonably fear for the officer's safety or the safety
15 of the officer's **immediate** family or household member.

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

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

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

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