

2026 South Dakota Legislature

House Bill 1300**AMENDMENT 1300B
FOR THE INTRODUCED BILL**

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) ~~The individual is a victim of:~~

10 (i) Human trafficking under chapter 22-49;

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

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

14 (b) The individual's safety is at risk if any personal information is published in
15 any newspaper; and

16 (2) The affidavit of two professionals stating that, based on the professional's work
17 with the individual, the professional believes the individual is a victim of human
18 trafficking or domestic abuse as set forth in subdivision (1), and the professional
19 believes the individual has a good faith belief that the individual's safety is at risk.
20 The professionals, who may be from the same profession but may not be from the
21 same agency, must be any two of the following:

22 (a) A law enforcement officer;

23 (b) A prosecutor;

24 (c) A parole agent;

25 (d) A qualified mental health professional;

26 (e) A licensed health care provider;

- 1 (f) An addiction counseling or prevention services practitioner; or
- 2 (g) A social worker, crisis counselor, or other advocate acting on behalf of an
- 3 agency that assists victims of human trafficking or domestic abuse.

4 Nothing in this section waives a victim's right to notification as set forth in S.D.
5 Const., Art. VI, § 29, chapter 23A-28C, or any other applicable victim's rights law.

