



2026 South Dakota Legislature

House Bill 1062

SENATE ENGROSSED

Introduced by: **Representative Kull**

1 **An Act to revise a provision related to aggravated assault.**

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

3 **Section 1. That § 22-18-1.1 be AMENDED:**

4 **22-18-1.1.** ~~Any person who~~No person may:

5 (1) ~~Attempts~~Cause or attempt to cause serious bodily injury to another, ~~or causes~~
6 ~~such injury,~~ under circumstances manifesting extreme indifference to the value of
7 human life;

8 (2) ~~Attempts~~Attempt to cause, or knowingly ~~causes~~ cause, bodily injury to another
9 with a dangerous weapon;

10 (3) ~~Deleted by SL 2005, ch 120, § 2;~~

11 ~~(4)~~ ~~Assaults~~ Assault another with intent to commit bodily injury, ~~z~~ which results in
12 serious bodily injury;

13 ~~(5)~~ ~~(4)~~ ~~Attempts~~ Attempt by physical menace with a deadly weapon or a physical object
14 realistically simulating a deadly weapon to put another in fear of imminent serious
15 bodily harm; or

16 ~~(6)~~ ~~Deleted by SL 2005, ch 120, § 2;~~

17 ~~(7)~~ ~~Deleted by SL 2012, ch 123, § 4;~~

18 ~~(8)~~ ~~(5)~~ ~~Attempts~~ Attempt to induce a fear of death or imminent serious bodily harm by
19 impeding the normal breathing or circulation of the blood of another person by
20 applying pressure on the throat or neck, or by blocking the nose and mouth; ~~z~~

21 A person who violates this section is guilty of aggravated assault. Aggravated
22 assault is a Class 3 felony.