



2026 South Dakota Legislature
House Bill 1300
ENROLLED

AN ACT

ENTITLED An Act to except victims of human trafficking or domestic abuse from certain clemency notice requirements.

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

Section 1. That a NEW SECTION be added to chapter 24-14:

The provisions of § 24-14-4 do not apply to an applicant who is a victim of human trafficking or domestic abuse. To be recognized as a victim of human trafficking or domestic abuse, the individual shall submit to the Board of Pardons and Paroles:

- (1) An affidavit of the individual stating that:
 - (a) The individual is a victim of:
 - (i) Human trafficking under chapter 22-49;
 - (ii) Domestic abuse, as defined in § 25-10-1; or
 - (iii) A similar crime in another state that, if committed in this state, would be considered human trafficking or domestic abuse; and
 - (b) The individual's safety is at risk if any personal information is published in any newspaper; and
- (2) The affidavit of two professionals stating that, based on the professional's work with the individual, the professional believes the individual is a victim of human trafficking or domestic abuse as set forth in subdivision (1), and the professional believes the individual has a good faith belief that the individual's safety is at risk. The professionals, who may be from the same profession but may not be from the same agency, must be any two of the following:
 - (a) A law enforcement officer;
 - (b) A prosecutor;
 - (c) A parole agent;
 - (d) A qualified mental health professional;
 - (e) A licensed health care provider;

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

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

An Act to except victims of human trafficking or domestic abuse from certain clemency notice requirements.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

House as Bill No. 1300

2026 at _____ M.

Chief Clerk of the House

By _____
for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2026

Attest:

Chief Clerk of the House

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2026
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1300
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State