

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

832P0546

SENATE JUDICIARY ENGROSSED NO. **HB 1162** -
2/20/2008

Introduced by: Representatives Cutler, Feinstein, Lucas, Rave, and Willadsen and Senators Gray, Hunhoff, Jerstad, Koetzle, and Turbak Berry

1 FOR AN ACT ENTITLED, An Act to prohibit the branding of a minor and to provide a penalty
2 therefor.

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

4 Section 1. That chapter 26-10 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No person may brand a minor. For the purposes of this section, the term, brand, means to
7 make a permanent mark on a person's skin through the use of heat, cold, or a chemical
8 compound, or to cut, tear, or abrade the skin for the purpose of creating a permanent mark or
9 design. It is not a violation of this Act to tattoo a minor in compliance with the provisions of
10 § 26-10-19. It is not a violation of this Act to pierce any part of a minor's body for the purpose
11 of jewelry or adornment with consent. A violation of this section is a Class 1 misdemeanor.
12 However, any second or subsequent violation of this section is a Class 6 felony.

