

# State of South Dakota

NINETY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2017

913Y0077

## HOUSE BILL NO. 1056

Introduced by: Representatives Kaiser, Bordeaux, Brunner, Campbell, Dennert, DiSanto, Glanzer, Goodwin, Greenfield (Lana), Howard, Jensen (Kevin), Latterell, Lesmeister, Marty, May, McCleerey, Peterson (Kent), Pischke, Qualm, Schoenfish, and Tieszen and Senators Nelson, Bolin, Jensen (Phil), Klumb, Netherton, Rusch, Russell, and Youngberg

1 FOR AN ACT ENTITLED, An Act to authorize law enforcement officers to issue certain  
2 citations not signed under oath.

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

4 Section 1. That § 23A-2-1 be amended to read:

5 23A-2-1. A complaint is a written statement of the essential facts constituting an offense  
6 charged. ~~It must~~ The complaint shall be signed under oath before a person authorized to  
7 administer oaths in the State of South Dakota. ~~It is sufficient if a~~ A law enforcement officer, in  
8 lieu of signing a complaint for a ~~Class 2 misdemeanor or felony~~ under oath, signs the following  
9 may sign a statement printed or written on a complaint or summons on a uniform traffic ticket  
10 stating: "I declare and affirm under the penalties of perjury that this complaint or summons has  
11 been examined by me, and to the best of my knowledge and belief, is in all things true and  
12 correct." Any person who signs ~~this~~ a statement as ~~provided for in~~ required by this section,  
13 knowing the statement to be false or untrue, in whole or in part, is guilty of perjury.

