

# State of South Dakota

NINETY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2017

569Y0122

## HOUSE BILL NO. **1101**

Introduced by: Representatives Haugaard, Bartling, Brunner, Campbell, Clark, Dennert, DiSanto, Frye-Mueller, Goodwin, Greenfield (Lana), Haggar, Holmes, Jensen (Kevin), Kaiser, Kettwig, Lake, Latterell, Peterson (Sue), Pischke, Qualm, Rasmussen, Rhoden, Ring, Rounds, Steinhauer, Tulson, and York and Senators Greenfield (Brock), Jensen (Phil), Kolbeck, Monroe, Nelson, Netherton, Partridge, Rusch, Russell, Solano, Stalzer, Tapio, and Wiik

1 FOR AN ACT ENTITLED, An Act to increase the penalty for performing an abortion of an  
2 unborn child capable of feeling pain.

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

4 Section 1. That § 34-23A-69 be amended to read:

5 34-23A-69. It is a ~~Class 1 misdemeanor~~ Class 6 felony to intentionally or recklessly perform,  
6 or attempt to perform, an abortion of an unborn child capable of feeling pain unless it is a  
7 medical emergency. No penalty may be assessed against the woman upon whom the abortion  
8 is performed, or attempted to be performed.

