

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

538Y0613

HOUSE BILL NO. 1142

Introduced by: Representatives Haggar, Duvall, and Turbiville and Senators Stalzer and Rusch

1 FOR AN ACT ENTITLED, An Act to revise the penalty for vehicular homicide.

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

3 Section 1. That § 22-16-41 be amended to read:

4 22-16-41. Any person who, while under the influence of alcohol, drugs, or substances in a
5 manner and to a degree prohibited by § 32-23-1, without design to effect death, operates or
6 drives a vehicle of any kind in a negligent manner and thereby causes the death of another
7 person, including an unborn child, is guilty of vehicular homicide. Vehicular homicide is a ~~Class~~
8 ~~3-felony~~ Class 2 felony. In addition to any other penalty prescribed by law, the court shall order
9 that the ~~driver's~~ driver license of any person convicted of vehicular homicide be revoked for a
10 period of not less than ten years from the date sentence is imposed or ten years from the date of
11 initial release from imprisonment, whichever is later. ~~In the event~~ If the person is returned to
12 imprisonment prior to the completion of the period of ~~driver's~~ driver license revocation, time
13 spent imprisoned does not count toward fulfilling the period of revocation.

