

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

940B0602

HOUSE BILL NO. 1243

Introduced by: Representatives Sullivan, Barthel, Beal, Bordeaux, Borglum, Chaffee, Chase, Cwach, Diedrich, Duba, Hammock, Healy, Johnson (David), Lesmeister, McCleerey, Otten (Herman), Reed, Ring, Rounds, Schoenfish, and Smith (Jamie) and Senators Foster, Heinert, Kennedy, Maher, Nesiba, Rusch, Solano, Steinhauer, White, and Youngberg

1 FOR AN ACT ENTITLED, An Act to revise provisions regarding hate crimes.

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

3 Section 1. That § 22-19B-1 be amended to read:

4 22-19B-1. ~~No~~ A person may is guilty of a Class 6 felony if the person maliciously and with
5 ~~the~~ specific intent to intimidate or harass any other person or specific group of persons because
6 of that person's or group of persons' race, ethnicity, religion, ancestry, ~~or~~ national origin, sexual
7 orientation, or gender identity:

8 (1) ~~Cause~~ Causes physical injury to another person; ~~or~~

9 (2) ~~Deface~~ Defaces any real or personal property of another person; ~~or~~

10 (3) ~~Damage or destroy~~ Damages or destroys any real or personal property of another
11 person; or

12 (4) ~~Threaten~~ Threatens, by word or act, to do the acts prohibited under this section if
13 there is reasonable cause to believe that any of the acts prohibited ~~in subdivision (1),~~



1 ~~(2), or (3) of this section~~ will occur.

2 ~~—A violation of this section is a Class 6 felony.~~