



2020 South Dakota Legislature

Senate Bill 71

Introduced by: **Senator Duhamel**

1 **An Act to revise the offenses for which an order for interception of communications**
 2 **may be granted.**

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

4 **Section 1.** That § 23A-35A-2 be AMENDED:

5 **23A-35A-2. Interception of communications--Authorization or approval.**

6 Any order authorizing or approving the interception of wire, electronic, or oral
 7 communications may be granted, subject to the provisions of this chapter, if the
 8 interception may provide or has provided evidence of the commission of, or of any
 9 conspiracy to commit, the following offenses as otherwise defined by the laws of this state:
 10 ~~murder; kidnapping; crimes of violence listed in subdivision 22-1-2(9); sex crimes listed~~
 11 ~~in § 22-24B-1; escape as defined in chapter 22-11A; fugitives from justice with an active~~
 12 ~~felony warrant; gambling; robbery; bribery; theft; unlawful use of a computer; and~~
 13 unauthorized manufacturing, distribution or counterfeiting of controlled substances or
 14 marijuana; ~~and rape.~~