

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

646C0479

SENATE JUDICIARY COMMITTEE ENGROSSED NO. **SB190** - 2/2/99

Introduced by: Senators Vitter, Albers, Daugaard, Ham, Lawler, and Madden and
Representatives Hennies, Duniphan, and McCoy

1 FOR AN ACT ENTITLED, An Act to prohibit certain sexual acts between certain jail and
2 juvenile correctional facility employees and prisoners and to provide a penalty therefor.

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

4 Section 1. That chapter 24-11 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any person employed at any jail or juvenile correctional facility, who knowingly engages in
7 an act of sexual contact or sexual penetration with another person who is in detention and under
8 the custodial, supervisory, or disciplinary authority of the person so engaging, is guilty of a Class
9 6 felony.

10 Section 2. That chapter 24-11 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 A juvenile correctional facility pursuant to this Act is a juvenile detention facility as defined
13 in subdivision 26-7A-1(16) or a juvenile facility operated by the Department of Corrections
14 under § 1-15-1.4.

1 **BILL HISTORY**

2 1/28/99 First read in Senate and referred to Judiciary. S.J. 232

3 2/1/99 Scheduled for Committee hearing on this date.

4 2/1/99 Judiciary Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 272