

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

445E0213

HOUSE BILL NO. 1091

Introduced by: Representatives Brown (Jarvis), Abdallah, Broderick, Duniphan, Garnos,
and Konold and Senators Albers, Brosz, and Moore

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding jurisdiction for certain
2 offenses involving intoxicating substances.

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

4 Section 1. That § 22-42-15 be amended to read as follows:

5 22-42-15. Any person who intentionally ingests, inhales, ~~breathes~~, or otherwise takes into
6 the body any substance, except alcoholic beverages as defined in § 35-1-1, for purposes of
7 becoming intoxicated, unless such substance is prescribed by a practitioner of the medical arts
8 lawfully practicing within the scope of ~~their~~ the practitioner's practice, is guilty of a Class 1
9 misdemeanor. The venue for a violation of this section exists in both the jurisdiction in which the
10 substance was ingested, inhaled, or otherwise taken into the body and the jurisdiction in which
11 the substance was detected in the body of the accused.