

2023 South Dakota Legislature

Senate Bill 50**AMENDMENT 50A FOR THE INTRODUCED BILL**

1 **An Act to revise the crime of witness tampering.**

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

3 **Section 1. That § 22-11-19 be AMENDED:**

4 **22-11-19.** Any person who injures~~,~~ or threatens to injure~~,~~ any person or
5 property~~, or, with intent to influence a witness,~~ who offers, confers, or agrees to confer
6 any benefit on a witness or prospective witness in an official proceeding; or who corruptly
7 persuades or corruptly influences another person to induce the witness to:

- 8 (1) Testify falsely;
9 (2) Withhold any testimony, information, document, or thing;
10 (3) Elude legal process summoning the witness to testify or supply evidence; or
11 (4) Absent himself or herself from an official proceeding to which the witness has been
12 legally summoned;

13 is guilty of tampering with a witness. Any person who injures, or threatens to
14 injure, any person or property in retaliation for that person testifying in an official
15 proceeding, or for cooperating with law enforcement, government officials, investigators,
16 or prosecutors, is guilty of tampering with a witness. Tampering with a witness is a Class
17 4 felony.

18 For the purposes of this section, the term, corruptly, means wrongful or immoral
19 and done with an intent to impede the administration of justice.