

## 2024 South Dakota Legislature

**House Bill 1025****AMENDMENT 1025A  
FOR THE INTRODUCED BILL**

1 **An Act to establish the crime of exposure of a law enforcement officer to a controlled**  
2 **drug or substance and to provide a penalty therefor.**

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

4 **Section 1. That chapter 22-18 be amended with a NEW SECTION:**

5 Any person who unlawfully and intentionally possesses a controlled drug or  
6 substance, as defined in § 22-42-1, and exposes a law enforcement officer, firefighter,  
7 ambulance service personnel, Department of Corrections employee or person under  
8 contract assigned to the Department of Corrections, or other public officer, while the  
9 officer was engaged in the performance of the officer's duties, to the controlled drug or  
10 substance, and the exposure results in serious bodily injury to the officer, is guilty of a  
11 ~~Class 2~~ Class 3 felony. If the exposure results in the death of the officer, the person is  
12 guilty of a Class 1 felony.

13 For the purposes of this section, the term "exposes" means exposure through skin  
14 contact, inhalation, ingestion, or contact with the site of a needlestick or a mucus  
15 membrane, including the mouth, eyes, or nose.