

AN ACT

ENTITLED, An Act to revise certain criminal penalties for intentional damage to private property.

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

Section 1. That § 22-34-1 be amended to read as follows:

22-34-1. Any person who, with specific intent to do so, injures, damages, or destroys:

- (1) Public property without the lawful consent of the appropriate governing body having jurisdiction thereof; or
- (2) Private property in which any other person has an interest, without the consent of the other person;

is guilty of intentional damage to property. Intentional damage to property is a Class 2 misdemeanor if the damage to property is four hundred dollars or less. Intentional damage to property is a Class 1 misdemeanor if the damage to property is one thousand dollars or less, but more than four hundred dollars. Intentional damage to property is a Class 6 felony if the damage to property is two thousand five hundred dollars or less, but more than one thousand dollars. Intentional damage to property is a Class 5 felony if the damage to property is five thousand dollars or less, but more than two thousand five hundred dollars. Intentional damage to property is a Class 4 felony if the damage to property is one hundred thousand dollars or less, but more than five thousand dollars. Intentional damage to property is a Class 3 felony if the damage to property is five hundred thousand dollars or less, but more than one hundred thousand dollars. Intentional damage to property is aggravated intentional damage to property if the damage to property is more than five hundred thousand dollars. Aggravated intentional damage to property is a Class 2 felony.

The provisions of this section do not apply if the intentional damage to property was accomplished by arson or reckless burning or exploding pursuant to chapter 22-33.

An Act to revise certain criminal penalties for intentional damage to private property.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 118

\_\_\_\_\_  
Secretary of the Senate  
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 118

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
=====

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State