

## 2025 South Dakota Legislature

**Senate Bill 8****AMENDMENT 8A  
FOR THE INTRODUCED BILL**

1 **An Act to establish certain criminal offenses for boat operators and to provide**  
2 **penalties therefor.**

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

4 **Section 1. That a NEW SECTION be added to chapter 22-16:**

5 Any person who, while under the influence of alcohol, drugs, or substances, in a  
6 manner and to a degree prohibited by § 42-8-45, without design to effect death, operates  
7 a boat, as defined by § 42-8-2, in a ~~reckless negligent~~ manner and thereby causes the  
8 death of another person, including an unborn child, is guilty of watercraft homicide, a  
9 Class 3 felony.

10 **Section 2. That a NEW SECTION be added to chapter 22-18:**

11 Any person who, while under the influence of alcohol, drugs, or substances, in a  
12 manner and to a degree prohibited by § 42-8-45, without design to effect serious bodily  
13 injury, operates a boat, as defined by § 42-8-2, in a ~~reckless negligent~~ manner and  
14 thereby causes the serious bodily injury of another person, including an unborn child, is  
15 guilty of watercraft battery, a Class 4 felony.

16 **Section 3. That a NEW SECTION be added to chapter 42-8:**

17 Any operator of a boat involved in an accident resulting in injury or death to any  
18 person, who fails to immediately stop the boat at the scene of the accident and comply  
19 with the provisions of §§ 42-8-56 through 42-8-58, inclusive, is guilty of a Class 6 felony.