

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

349R0414

HOUSE BILL NO. 1111

Introduced by: Representatives Engels, Hunhoff (Bernie), and Lange and Senators Bradford, Bartling, and Turbak Berry

1 FOR AN ACT ENTITLED, An Act to revise the penalty for first degree manslaughter.

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

3 Section 1. That § 22-16-15 be amended to read as follows:

4 22-16-15. Homicide is manslaughter in the first degree if perpetrated:

5 (1) Without any design to effect death, including an unborn child, while engaged in the
6 commission of any felony other than as provided in § subdivision 22-16-4(2);

7 (2) Without any design to effect death, including an unborn child, and in a heat of
8 passion, but in a cruel and unusual manner;

9 (3) Without any design to effect death, including an unborn child, but by means of a
10 dangerous weapon;

11 (4) Unnecessarily, either while resisting an attempt by the person killed to commit a
12 crime or after such attempt has failed.

13 Manslaughter in the first degree is a ~~Class C~~ Class 1 felony.

