

# State of South Dakota

NINETIETH SESSION  
LEGISLATIVE ASSEMBLY, 2015

580W0235

## HOUSE BILL NO. 1143

Introduced by: Representatives Gibson and Hawks and Senators Buhl O'Donnell, Bradford, Heinert, Hunhoff (Bernie), and Sutton

1 FOR AN ACT ENTITLED, An Act to increase the criminal violations that are subject to  
2 protection orders.

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

4 Section 1. That § 25-10-13 be amended to read as follows:

5 25-10-13. If a temporary protection order or a protection order is granted pursuant to this  
6 chapter or a foreign protection order recognized pursuant to § 25-10-25 or 25-10-12.1, or if a  
7 no contact order is issued pursuant to § 25-10-23 or 25-10-25, and the respondent or person to  
8 be restrained knows of the order, the violation of the order is a Class 1 misdemeanor. If any  
9 violation of this section constitutes a violation of § 22-18-1, 22-18-1.1, or 22-19A-1, the  
10 violation is a Class 6 felony. If a respondent or person to be restrained has been convicted of,  
11 or entered a plea of guilty to, two or more violations of this section or § 22-19A-16, the factual  
12 basis for which occurred after the date of the second conviction, and occurred within ten years  
13 of committing the current offense, the respondent or person to be restrained is guilty of a Class  
14 6 felony for any third or subsequent offense. Any proceeding under this chapter is in addition  
15 to other civil or criminal remedies.

