

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

364R0566

## HOUSE BILL NO. 1164

Introduced by: Representatives Novstrup (David), Blake, Boomgarden, Brunner, Cronin, Curd, Cutler, Engels, Gibson, Kirkeby, Krebs, Lust, Peters, Rausch, Romkema, and Street and Senators Gillespie, Abdallah, Gray, Hunhoff (Jean), Jerstad, Merchant, Miles, and Turbak Berry

1 FOR AN ACT ENTITLED, An Act to revise no contact provisions in cases of stalking and  
2 domestic abuse.

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

4 Section 1. That chapter 22-19A be amended by adding thereto a NEW SECTION to read  
5 as follows:

6 If bond for the defendant in any assault or stalking action is authorized, a condition of no  
7 contact with the victim shall be stated and incorporated into the terms of the bond. Willful  
8 violation of any such no contact provision is a Class 1 misdemeanor.

9 Section 2. That § 22-19A-17 be amended to read as follows:

10 22-19A-17. While in custody after arrest for assault or stalking, no defendant may have or  
11 be permitted any contact or communications, either directly or by means of a third party, with  
12 the victim or the family or household members of the victim, until the defendant's initial court  
13 appearance or until such contact or communication is specifically authorized by the court.

14 Willful violation of this section is a Class 1 misdemeanor.



1       Section 3. That chapter 25-10 be amended by adding thereto a NEW SECTION to read as  
2 follows:

3       While in custody after arrest for a crime involving domestic abuse, no defendant may have  
4 or be permitted any contact or communications, either directly or by means of a third party, with  
5 the victim or the family or household members of the victim, until the defendant's initial court  
6 appearance or until such contact or communication is specifically authorized by the court.

7 Willful violation of this section is a Class 1 misdemeanor.