

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

931X0087

## HOUSE BILL NO. 1171

Introduced by: Representatives Gibson, Hawks, Rasmussen, Schoenfish, and Soli and  
Senators Buhl O'Donnell, Bradford, and Heinert

1 FOR AN ACT ENTITLED, An Act to permit the court additional time to determine whether  
2 a petition for a domestic protection order may be heard as though the petition was for a  
3 stalking protection order.

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

5 Section 1. That § 25-10-3.3 be amended to read:

6 25-10-3.3. If a petition for a protection order alleging the existence of domestic abuse is filed  
7 with the court pursuant to § 25-10-3 and, if the court, ~~upon an initial review,~~ determines that the  
8 allegations do not support the existence of domestic abuse, but that the allegations do support  
9 the existence of stalking or physical injury pursuant to § 22-19A-8, the court, in its discretion,  
10 may hear and act upon the petition as though the petition had been filed under § 22-19A-8 and  
11 subject to the provisions of chapter 22-19A.

