

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

562V0664

HOUSE BILL NO. 1241

Introduced by: Representatives Latterell, Campbell, Ecklund, Feickert, Greenfield, Haggard (Don), Hickey, Nelson, Olson (Betty), Qualm, Rasmussen, Stalzer, and Steele and Senators Begalka, Jensen, Novstrup (Al), and Omdahl

1 FOR AN ACT ENTITLED, An Act to prohibit the dismemberment or decapitation of certain
2 living unborn children and to provide penalties therefore.

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

4 Section 1. No licensed physician may knowingly dismember a living unborn child with the
5 intent of endangering the life or health of the child. A violation of this section is a Class 2
6 felony. If a violation of this section involves the separation of the skull from the spine, then the
7 penalty is a Class B felony.

8 Section 2. The provisions of section 1 of this Act do not apply to any medical treatment for
9 a life-threatening condition provided to the mother by a physician licensed to practice medicine
10 in this state which results in the accidental or unintentional injury or death of the unborn child.

11 Section 3. For the purposes of this Act, the term, dismember, means to use an instrument
12 or procedure for the purpose of disconnecting any bones at their joint, completely severing any
13 bones, or removing any organs or limbs, including the spinal cord, arms, legs, and internal
14 organs.

