

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

517X0409

## SENATE ENGROSSED NO. **SB 130** - 02/10/2016

Introduced by: Senators Jensen (Phil), Greenfield (Brock), Haggar (Jenna), Holien, Monroe, Olson, Omdahl, Rampelberg, and Rusch and Representatives DiSanto, Brunner, Craig, Greenfield (Lana), Haugaard, Qualm, Russell, and Wiik

1 FOR AN ACT ENTITLED, An Act to require the processing of sexual assault exam kits.

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

3 Section 1. That the code be amended by adding a NEW SECTION to read:

4 For purposes of this Act a sexual assault exam kit is a set of swabs, slides, envelopes,  
5 instructions, and forms specifically designed to collect and preserve physical evidence that can  
6 be used in a criminal sexual assault investigation.

7 Section 2. That the code be amended by adding a NEW SECTION to read:

8 The Division of Criminal Investigation shall ensure that each sexual assault exam kit  
9 submitted to the division by law enforcement or a licensed health care provider is processed  
10 within ninety days after receipt of the sexual assault exam kit.

11 Nothing in this section may be construed as creating a defense for a defendant in any sexual  
12 assault case.

