

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

367D0239

HOUSE BILL NO. 1065

Introduced by: Representatives Hennies, Brooks, Brown (Richard), Clark, Duniphan, Fitzgerald, Lintz, McCoy, McIntyre, and Munson (Donald) and Senators Vitter, Albers, Brosz, Ham, Madden, and Shoener

1 FOR AN ACT ENTITLED, An Act to prohibit certain sexual acts between certain jail and
2 juvenile correctional facility employees and prisoners and to provide a penalty therefor.

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

4 Section 1. Any person employed at any jail or juvenile correctional facility, who knowingly
5 engages in an act of sexual contact or sexual penetration with another person who is in detention
6 and under the custodial, supervisory, or disciplinary authority of the person so engaging, and
7 which act of sexual contact or sexual penetration does not otherwise constitute a felony pursuant
8 to the provisions of chapter 22-22, is guilty of a Class 6 felony.

9 Section 2. A juvenile correctional facility pursuant to this Act is a juvenile detention facility
10 as defined in subdivision 26-7A-1(16) or a juvenile facility operated by the Department of
11 Corrections under § 1-15-1.4.