

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0108 **SENATE AGRICULTURE AND NATURAL RESOURCES**
COMMITTEE ENGROSSED NO. HB 1072 -
02/15/2001

Introduced by: Representative Duenwald and Senator Diedrich (Larry)

1 FOR AN ACT ENTITLED, An Act to define the theft of certain livestock as grand theft.

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

3 Section 1. That § 22-30A-17 be amended to read as follows:

4 22-30A-17. Theft is grand theft, if:

5 (1) The value of the property stolen exceeds five hundred dollars;

6 (2) Repealed by SL 1990, ch 165, § 2.

7 (3) Property of any value is taken from the person of another; ~~or~~

8 (4) In the case of theft by receiving stolen property, the receiver is a dealer in stolen
9 property, the value of the property stolen exceeds five hundred dollars in value; or

10 (5) The property stolen is cattle, horses, mules, sheep, buffalo, swine, or captive
11 nondomestic elk.

12 Theft in all other cases is petty theft. Grand theft is a Class 4 felony. Petty theft is divided
13 into two degrees. Petty theft of one hundred dollars or more is in the first degree and is a Class
14 1 misdemeanor. Petty theft is in the first degree and is a Class 1 misdemeanor if the theft is of

1 money or property of any value less than five hundred dollars belonging to a resident or patient
2 of a hospital, nursing facility, chemical dependency facility, assisted living center, development
3 center, human services center, or any residential facility for the mentally ill, mentally retarded,
4 or developmentally disabled and if the theft is committed by an employee of the facility.
5 Otherwise petty theft of less than one hundred dollars is in the second degree and is a Class 2
6 misdemeanor.