

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

400H0726

SENATE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1299 - 02/08/2002

Introduced by: The Committee on Judiciary at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to change the definition and venue of perjury prosecutions
2 and to provide for the verification of certain information on certain state applications or other
3 documents.

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

5 Section 1. That § 22-29-1 be amended to read as follows:

6 22-29-1. Any person who, having taken an oath that he or she will testify, declare, depose,
7 or certify truly before any competent tribunal, officer, or person, in any ~~of the cases~~ state or
8 federal proceeding or action in which such an oath may by law be administered, intentionally and
9 contrary to ~~such the~~ the oath, states any material matter which ~~he~~ the person knows to be false, is
10 guilty of perjury.

11 Section 2. That chapter 23A-16 be amended by adding thereto a NEW SECTION to read
12 as follows:

13 Perjury may be prosecuted in the circuit court for either the county where the proceeding or
14 action is venued or where the act of perjury was committed.

15 Section 3. Any person who submits any petition, application, information, or other document



1 for the purpose of obtaining benefits or any other privilege from the State of South Dakota shall
2 verify, under oath, that such petition, application, or information is true and correct. However,
3 it is sufficient if the claimant, in lieu of verification under oath, signs a statement printed or
4 written thereon in the form following: "I declare and affirm under the penalties of perjury that
5 this claim (petition, application, information) has been examined by me, and to the best of my
6 knowledge and belief, is in all things true and correct." Any person who signs such statement as
7 provided for in this section, knowing the same to be false or untrue, in whole or in part, shall be
8 guilty of perjury.