

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

169P0512

HOUSE JUDICIARY ENGROSSED NO. **HB 1313** - 2/6/2008

Introduced by: Representatives Olson (Ryan), Gilson, Gosch, Hills, Lust, and Rounds and
Senators Albers and Abdallah

1 FOR AN ACT ENTITLED, An Act to prohibit the use of certain electronic communication
2 devices to communicate threats and harassment and to provide a penalty therefor.

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

4 Section 1. That § 49-31-31 be amended to read as follows:

5 49-31-31. It is a Class 1 misdemeanor for a person to use a telephone or other electronic
6 communication device for any of the following purposes:

- 7 (1) To ~~call~~ contact another person with intent to terrorize, intimidate, threaten, harass or
8 annoy such person by using obscene or lewd language or by suggesting a lewd or
9 lascivious act;
- 10 (2) To ~~call~~ contact another person with intent to threaten to inflict physical harm or
11 injury to any person or property;
- 12 (3) To ~~call~~ contact another person with intent to extort money or other things of value;
- 13 (4) To ~~call~~ contact another person with intent to disturb ~~him~~ that person by repeated
14 anonymous telephone calls or intentionally failing to replace the receiver or



1 disengage the telephone connection.

2 It is a Class 1 misdemeanor for a person to knowingly permit a telephone or other electronic
3 communication device under his or her control to be used for a purpose prohibited by this
4 section.