

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

400T0183

## HOUSE BILL NO. 1039

Introduced by: The Committee on Judiciary at the request of the Department of Public Safety

1 FOR AN ACT ENTITLED, An Act to exempt certain impaired driving violations from the  
2 statutory limitation on enhanced penalties for second, third, or subsequent violations.

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

4 Section 1. That § 22-6-5.2 be amended to read as follows:

5 22-6-5.2. No enhanced penalty may be imposed for any second, third, or subsequent  
6 violation, except for an offense pursuant to the provisions of chapter 32-23, unless the defendant  
7 was convicted of or plead guilty or nolo contendere to the prior offense previous in time to  
8 committing the relevant second, third, or subsequent offense.

