

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

337W0405

HOUSE BILL NO. 1073

Introduced by: Representatives Kaiser, Beal, Bolin, Brunner, DiSanto, Greenfield (Lana), Kirschman, Latterell, May, Qualm, Schrempp, Soli, Stalzer, Verchio, and Wollmann and Senators Greenfield (Brock), Haggar (Jenna), Haverly, and Olson

1 FOR AN ACT ENTITLED, An Act to require a sex offender to report a change in vehicle status
2 to law enforcement.

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

4 Section 1. That § 22-24B-2 be amended to read as follows:

5 22-24B-2. Any person who has been convicted for commission of a sex crime, as defined
6 in § 22-24B-1, shall register as a sex offender. The term, convicted, includes a verdict or plea
7 of guilty, a plea of nolo contendere, and a suspended imposition of sentence which has not been
8 discharged pursuant to § 23A-27-14 prior to July 1, 1995. Any juvenile fourteen years or older
9 shall register as a sex offender if that juvenile has been adjudicated of rape as defined in
10 subdivision 22-24B-1(1), or of an out-of-state or federal offense that is comparable to the
11 elements of these crimes of rape or any crime committed in another state if the state also
12 requires a juvenile adjudicated of that crime to register as a sex offender in that state. The term,
13 adjudicated, includes a court's finding of delinquency, an admission, and a suspended
14 adjudication of delinquency which has not been discharged pursuant to § 26-8C-4 prior to July



1 1, 2009. The sex offender shall register within three business days of coming into any county
2 to reside, temporarily domicile, attend school, attend postsecondary education classes, or work.
3 Registration shall be with the chief of police of the municipality in which the sex offender
4 resides, temporarily domiciles, attends school, attends postsecondary education classes, or
5 works, or, if no chief of police exists, then with the sheriff of the county. If the sex offender is
6 not otherwise registered in the state, the sex offender shall register within three business days
7 of coming into any county when the sex offender applies for or receives a South Dakota driver
8 license, registers a motor vehicle, establishes a postal address, or registers to vote. A sex
9 offender shall report within three business days any change in the licensing or registration status
10 of a vehicle the offender owns to the authority specified in this section. A violation of this
11 section is a Class 6 felony. Any person whose sentence is discharged under § 23A-27-14 after
12 July 1, 1995, shall forward a certified copy of such formal discharge by certified mail to the
13 Division of Criminal Investigation and to local law enforcement where the person is then
14 registered under this section. Upon receipt of such notice, the person shall be removed from the
15 sex offender registry open to public inspection and shall be relieved of further registration
16 requirements under this section. Any juvenile whose suspended adjudication is discharged under
17 § 26-8C-4 after July 1, 2009, shall forward a certified copy of the formal discharge by certified
18 mail to the Division of Criminal Investigation and to local law enforcement where the juvenile
19 is then registered under this section. Upon receipt of the notice, the juvenile shall be removed
20 from the sex offender registry open to public inspection and shall be relieved of further
21 registration requirements under this section.