

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

861R0288

## SENATE BILL NO. 109

Introduced by: Senators Gillespie, Abdallah, Brown, Gant, Maher, Nelson, Olson (Russell), Tieszen, and Turbak Berry and Representatives Schlekeway, Cronin, Cutler, Engels, Fargen, Feickert, Frerichs, Kirkeby, Lederman, Olson (Betty), Rave, Romkema, and Turbiville

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the deposit of  
2 county funds related to the 24/7 sobriety program.

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

4 Section 1. That § 1-11-25 be amended to read as follows:

5 1-11-25. Any fees collected under §§ 1-11-17 to 1-11-25, inclusive, shall be distributed as  
6 follows:

- 7 (1) Any daily user fee collected in the administration of twice a day testing, drug patch  
8 testing, or urinalysis testing under the 24/7 sobriety program shall be collected by the  
9 sheriff, or the entity designated by the sheriff, and ~~paid into the general fund~~  
10 deposited with the county treasurer of the proper county, the proceeds of which shall  
11 be applied and used only to defray the recurring costs of the 24/7 sobriety program  
12 including maintaining equipment, funding support services and ensuring compliance;
- 13 (2) Any installation and deactivation fee collected in the administration of electronic  
14 alcohol monitoring device testing shall be collected by the sheriff, or the entity



1 designated by the sheriff, and ~~paid into the general fund~~ deposited with the county  
2 treasurer of the proper county, the proceeds of which shall be applied and used only  
3 to defray the recurring costs of the 24/7 sobriety program including maintaining  
4 equipment, funding support services, and ensuring compliance;

5 (3) Any daily user fee collected in the administration of electronic alcohol monitoring  
6 device testing shall be deposited in the state 24/7 sobriety fund created by § 1-11-18;  
7 and

8 (4) The Department of Corrections or the Unified Judicial System may collect an  
9 installation fee and a deactivation fee in their administration of electronic alcohol  
10 monitoring device testing. These fees shall be deposited into the state general fund.