

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT

Ninety-Sixth SESSION
2021 South Dakota Legislature

Senate Bill 148

An Act to establish the crime of torture of a human trafficking victim and provide a penalty therefor.

A prison/jail population cost estimate statement is required for amendment 148A to SB148 because the amendment would alter the Class 2 felony created by the bill as introduced for torturing a human trafficking victim while the victim is the subject of human trafficking. The amendment would make the penalty for this crime a Class 1 felony.

Under current law, SDCL 22-49-2 is a Class 2 felony for first-degree human trafficking, and SDCL 22-49-3 is a Class 4 felony for second-degree human trafficking. There have been no convictions for SDCL 22-49-2 or SDCL 22-49-3 in the last ten years.

It is expected that a significant number of those who would be convicted of torture of a human trafficking victim under this bill might also be convicted of human trafficking under current law. Because of the absence of convictions under current human trafficking law, the impact on prison and jail costs is expected to be negligible.

Compared with the original bill, there would be no additional prison/jail impact.

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DATE: 2/16/2021
2021-FI148B