

## 2021 South Dakota Legislature

**Senate Bill 163****AMENDMENT 163A FOR THE INTRODUCED BILL**

1 **An Act to revise the eligibility requirements for compassionate parole under certain**  
2 **circumstances.**

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

4 **Section 1.** That § 24-15A-55 be AMENDED.

5 **24-15A-55. Eligibility for compassionate parole.**

6 Notwithstanding any contrary provision in chapter 24-13, 24-15, or 24-15A, an  
7 inmate who:

- 8 (1) Has a terminal illness;  
9 (2) Is seriously ill and not likely to recover;  
10 (3) Requires extensive medical care or significant chronic medical care;  
11 (4) Is at least sixty-five years of age, has served at least ten consecutive years of the  
12 inmate's sentence incarcerated, whose current sentences are for convictions of a  
13 Class 3 felony or ~~below lower~~ and whose medical care needs are at least double the  
14 average annual medical cost of the inmate population; or  
15 (5) Is at least seventy years of age and has served at least thirty consecutive years of  
16 the inmate's sentence incarcerated; and  
17 (6) Is not serving a capital punishment sentence;  
18 is eligible for compassionate parole consideration.

19 During a global pandemic as declared by the World Health Organization, eligibility  
20 for compassionate parole consideration is extended to all inmates ~~who are at an increased~~  
21 ~~risk of illness due to an existing underlying medical condition as defined by the Centers~~  
22 ~~for Disease Control and Prevention and~~ whose current sentences are for convictions of a  
23 Class 3 felony or lower for crimes that are not violent as provided in § 24-15A-32.