

# **PRISON/JAIL POPULATION COST ESTIMATE STATEMENT**

Ninety-Seventh Session SESSION  
2022 South Dakota Legislature

## **House Bill 1208**

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An Act to prohibit chemical abortion drugs and to provide a penalty therefor.

A prison/jail population cost estimate statement is required for HB1208 as the bill would establish a new crime that, if violated, would be a Class 6 felony.

Section 3 of the bill would make it a Class 6 felony for any person to:

- Perform or attempt to perform an abortion using chemical abortion drugs; or
- Dispense, distribute, manufacture, prescribe, sell, or transfer any chemical abortion drug.

Section 2 would define the term, chemical abortion drug, as mifegyne, mifeprex, mifepristone, "and any other pharmaceutically equivalent drug." Section 3 would exclude from the definition any contraceptive agents used prior to confirmation of a pregnancy through a "conventional medical test."

Relevant data from which to estimate a prison or jail impact is negligible. As with South Dakota, the use of chemical abortion drugs is generally permitted throughout the United States. Only Texas appears to have a law that criminally prohibits chemical abortion drugs, but that state's law is approximately two months old.

Due to the lack of information, the impact of this bill on the state prison system and county jail populations, along with the associated operational and capital costs, is not readily quantifiable.

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