

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT

Ninety-Seventh Session SESSION
2022 South Dakota Legislature

House Bill 1318

An Act to prohibit medical abortion by telemedicine, to increase the penalty for the unlicensed practice of medicine when performing a medical abortion, and to declare an emergency.

A prison/jail population cost estimate statement is required for HB1318 because the bill would create a new felony penalty.

Under SDCL 36-4-8, it is a Class 1 misdemeanor for any person to practice medicine or osteopathy without a license, certificate, or permit issued by the State Board of Medical and Osteopathic Examiners.

In the last ten years, there have been no convictions under SDCL 36-4-8.

Under the bill, it would be a Class 6 felony for any person practicing medicine or osteopathy without a license to prescribe medicine to induce a medical abortion.

Due to the absence of convictions under SDCL 36-4-8, the impact on prison and jail costs under the bill is estimated to be negligible. Furthermore, the purpose of this bill is to enforce compliance. It is assumed there would be a high rate of compliance with this bill among those practicing medicine or osteopathy.

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