



2023 South Dakota Legislature

House Bill 1003

Introduced by: **Representative** Bartels and **Senator** Schoenbeck at the request of the Executive Board

1 **An Act to repeal provisions requiring prison or jail cost estimates and to declare an**
 2 **emergency.**

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

4 **Section 1. That § 2-9-33 be REPEALED:**

5 ~~A prison or jail population cost estimate shall be electronically attached to any bill~~
 6 ~~or amendment, except misdemeanor penalties, that may impact the state prison or county~~
 7 ~~jail population. A prison or jail population cost estimate shall be prepared for a bill or~~
 8 ~~amendment with a Class 1 misdemeanor penalty only upon a request authorized by the~~
 9 ~~rules of the Legislature. The requirement for a cost estimate includes each bill or~~
 10 ~~amendment that meets the penalty requirements of this section and that increases the~~
 11 ~~period of imprisonment authorized for an existing crime, that adds a new crime for which~~
 12 ~~imprisonment is authorized, that imposes a minimum or mandatory minimum term of~~
 13 ~~imprisonment, or that modifies any law governing release of a prisoner from imprisonment~~
 14 ~~or supervision.~~

15 ~~The sponsor of the legislation or amendment shall allow sufficient time to prepare~~
 16 ~~a cost estimate from the Legislative Research Council. The cost estimate shall be~~
 17 ~~completed for a bill or amendment before final disposition is taken on the bill or~~
 18 ~~amendment by any standing committee of the Legislature.~~

19 **Section 2. That § 2-9-34 be REPEALED:**

20 ~~A cost estimate pursuant to § 2-9-33 shall include:~~
 21 ~~(1) An analysis of the specific components that will impact the prison and jail~~
 22 ~~population;~~
 23 ~~(2) The projected cost of the impact on the state prison system and the aggregate cost~~
 24 ~~to county jails on an annual basis and cost over a ten year period; and~~
 25 ~~(3) Operational costs and capital costs including all manner of construction.~~

- 1 **Section 3.** Whereas, this Act is necessary for the support of the state government and its
- 2 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
- 3 full force and effect from and after its passage and approval.