



2024 South Dakota Legislature

Senate Bill 9

SENATE JUDICIARY ENGROSSED

Introduced by: **Senator Tobin**

1 **An Act to further limit applications for clemency for violent crime offenders**
 2 **sentenced to life imprisonment.**

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

4 **Section 1. That § 24-15A-23 be AMENDED:**

5 **24-15A-23.** ~~An~~ The board may not hear an application for clemency ~~may not be~~
 6 ~~heard by the board~~ for one year after the date of the judgment. If an application for
 7 clemency is denied, an inmate may not again present an application for clemency for a
 8 period of one year. If an application for clemency is denied for an inmate convicted of a
 9 crime of violence, as defined in subdivision 22-1-2(9), and sentenced to life imprisonment,
 10 the inmate may not again present an application for clemency for a period of one to four
 11 years, as determined by the board. The board must establish in the record the date when
 12 the inmate will again be eligible to present an application for clemency at the time of
 13 denial.

14 **Section 2. That § 24-15-10 be AMENDED:**

15 **24-15-10.** If an inmate's application for parole is denied, the inmate may not again
 16 present an application before the board for a period of eight months. A continuance of an
 17 application for parole is not a denial. An application for clemency may not be heard for
 18 one year after the date of the judgment. If an application for clemency is denied, an
 19 inmate may not again present an application for clemency for a period of one year. If an
 20 application for clemency is denied for an inmate convicted of a crime of violence, as
 21 defined in subdivision § 22-1-2(9), and sentenced to life imprisonment, the inmate may
 22 not again present an application for clemency for a period of one to four years, as
 23 determined by the board. The board must establish in the record the date when the inmate
 24 will again be eligible to present an application for clemency at the time of denial.