

2025 South Dakota Legislature

House Bill 1023**AMENDMENT 1023A
FOR THE INTRODUCED BILL**

1 **An Act to modify the definition of a conviction for purposes of license revocation.**

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

3 **Section 1. That § 41-6-74.3 be AMENDED:**

4 **41-6-74.3.** If a person's privilege has been revoked pursuant to § 41-6-74.1 or
5 41-6-74.2, ~~the person, if and the person is present at the time of conviction, shall the~~
6 person must immediately surrender and deliver the license to the court or clerk of courts
7 ~~at which time. The court or clerk of courts shall note~~ the revocation ~~shall be noted~~ on the
8 face of the license ~~by the court or clerk of courts and the license returned and return the~~
9 license to the Department of Game, Fish and Parks.

10 ~~If a person's privilege has been revoked pursuant to § 41-6-74.1 or 41-6-74.2,~~
11 and the person is not present at the time of conviction, the person ~~shall must,~~ within
12 fourteen days of the conviction, deliver and return the license to the ~~Department of Game,~~
13 Fish and Parks department.

14 A violation of this section is a Class 2 misdemeanor.

15 If the person has a combination license, the revocation ~~shall must~~ be noted on the
16 face of the license and the license ~~shall must~~ be returned to the person to remain valid for
17 the other purposes permitted by the license.

18 ~~For the purposes of §§ 41-6-74.1 and 41-6-74.2, the term, conviction, is defined~~
19 ~~as provided in § 32-12-53.~~

20 **Section 2. That a NEW SECTION be added to chapter 41-6:**

21 For purposes of §§ 41-6-74.1 to 41-6-74.3, inclusive, "conviction" means:

22 (1) A verdict or plea of guilty;

23 (2) A plea of nolo contendere;

24 ~~(3) A suspended imposition of sentence;~~

- 1 ~~(4)~~(3) An unvacated forfeiture of bail or collateral deposited to secure a defendant's
- 2 appearance in court; and
- 3 ~~(5)~~(4) Any other judgment of guilt entered against a defendant in a criminal case.

AMENDED