

2025 South Dakota Legislature

Senate Bill 124**AMENDMENT 124C
FOR THE INTRODUCED BILL**1 **An Act to establish the Incarceration Task Force.**

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

3 **Section 1.** There is hereby established an Incarceration Task Force for the purpose of
4 providing an independent review of the capital construction and improvement of state
5 correctional facilities.

6 ~~**Section 2.** The Incarceration Task Force consists of the following members:~~

7 ~~(1) Two officers of a state correctional facility, appointed by the secretary of the~~
8 ~~Department of Corrections;~~

9 ~~(2) Two wardens or former wardens of a state correctional facility, appointed by the~~
10 ~~secretary of the Department of Corrections;~~

11 ~~(3) Two members of the Senate, appointed by the president pro tempore of the~~
12 ~~Senate;~~

13 ~~(4) Two members of the House of Representatives, appointed by the speaker of the~~
14 ~~House of Representatives; and~~

15 ~~(5) Two representatives of the Unified Judicial System, appointed by the chief justice~~
16 ~~of the Supreme Court.~~

17 ~~**Section 2.** The Incarceration Task Force consists of the following members:~~

18 ~~(1) Two members of the House of Representatives, appointed by the speaker of the~~
19 ~~House of Representatives;~~

20 ~~(2) Two members of the Senate, appointed by the president pro tempore of the~~
21 ~~Senate;~~

22 ~~(3) One former inmate, appointed by the president pro tempore of the Senate;~~

23 ~~(4) One law enforcement officer, as defined by § 23-3-27, appointed by the South~~
24 ~~Dakota State's Attorneys Association;~~

25 ~~(5) One state's attorney, appointed by the South Dakota State's Attorneys Association;~~

26 ~~(6) One public defender, appointed by the chief defender, as defined by § 23A-51-1;~~

- 1 (7) One circuit court judge, appointed by the chief justice of the Supreme Court;
- 2 (8) One court administrator, appointed by the Unified Judicial System;
- 3 (9) One court services officer, appointed by the Unified Judicial System;
- 4 (10) One parole agent, appointed by the Department of Corrections,
- 5 (11) One corrections officer, appointed by the Department of Corrections,
- 6 (12) One member of the clergy who is involved in prison ministry, appointed by the
- 7 Executive Board of the Legislative Research Council;
- 8 (13) One qualified mental health professional, as defined by § 27A-1-3, appointed by
- 9 the Executive Board of the Legislative Research Council
- 10 (14) One addiction and prevention practitioner, as defined by § 36-34-1, appointed by
- 11 the Executive Board of the Legislative Research Council;
- 12 (15) The Secretary of the Department of Corrections; and
- 13 (16) A representative from the Governor's office.

14 **Section 3.** To create a safer, more cost-effective prison system in South Dakota, the
15 Incarceration Task Force shall:

- 16 (1) Review the development and improvement of new and existing state correctional
17 facilities;
- 18 (2) Review and propose adjustments to the levels of funding for the development and
19 improvement of new and existing state correctional facilities;
- 20 (3) Examine best approaches and potential alternative sites for the development and
21 improvement of new and existing state correctional facilities; and
- 22 (4) Study alternative approaches to address recidivism.

23 **Section 4.** The Incarceration Task Force shall meet at least six times beginning April 1, 2025.
24 No later than December 1, 2025, the task force shall prepare and present a final report
25 regarding the task force's findings and recommendations to the Executive Board of the
26 Legislative Research Council, the Joint Committee on Appropriations, and the Department of
27 Corrections.

28 **Section 5.** All expenses incurred in carrying out the work of the task force must be paid out
29 of funds appropriated or otherwise provided to the Legislative Branch.