

# State of South Dakota

## EIGHTY-NINTH SESSION LEGISLATIVE ASSEMBLY, 2014

400V0380

### SENATE BILL NO. 22

Introduced by: The Committee on Judiciary at the request of the Office of the Attorney General

1 FOR AN ACT ENTITLED, An Act to authorize the issuance of citations for certain livestock  
2 inspection violations.

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

4 Section 1. That chapter 40-18 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 If a resident of this state is arrested for a violation of any provision of chapters 40-19 to  
7 40-22, inclusive, or any provision of chapter 40-29, punishable as a misdemeanor, the arresting  
8 officer shall take the name and address of the person and information relative to the violation  
9 and issue the person a summons in writing to appear in court. The officer shall release the  
10 person from custody upon receiving from the person a written promise to appear at the time and  
11 place designated by the officer. A nonresident arrested for a violation of chapters 40-19 to  
12 40-22, inclusive, or any provision of chapter 40-29, punishable as a misdemeanor, may be  
13 required to post bond in the amount set forth on the fine and bond schedule provided by the  
14 presiding circuit court judge, or in an amount set by a magistrate or judge for that offense,  
15 before being released from custody. Any person who intentionally violates the written promise



1 to appear, given in accordance with the provisions of this section, is guilty of a Class 2  
2 misdemeanor.

3 The officer shall utilize a uniform form approved by the attorney general for complaints and  
4 summons regarding a violation of any provision of chapters 40-19 to 40-22, inclusive, or the  
5 provisions of chapter 40-29, punishable as a misdemeanor.