

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT
NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY 2016

HOUSE BILL NO. 1051

**AN ACT TO PROHIBIT THE USE OF CERTAIN AUTOMATED SALES SUPPRESSION
DEVICES AND TO PROVIDE PENALTIES FOR THEIR USE.**

A prison/jail population cost estimate statement has been requested on HB1051 due to the changes in sections 1, 2, 3, 4, and 5.

House Bill 1051 creates a new crime for the use of “automated sales suppression devices”, with a penalty of a Class 5 felony. It also creates a civil penalty for the use of the device.

Currently, there are no laws prohibiting the use of the device in South Dakota. Reports of use of these devices vary by state, with some states reporting as much as an 80% “infection rate”, and some reporting little to no use. The Department of Revenue in South Dakota has not reported the use of these devices in the state as of yet.

Because the people most likely to use the device are business owners, there is only a small section of the population capable of violating the law. Furthermore, since detection may be difficult, and there has been no sign of the devices in South Dakota up to this point, it is the opinion of the LRC that the prison impact for this bill is likely to be minimal.

Approved: /s/ Jason Hancock

Date: 1/27/16

Director, Legislative Research Council