

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

HOUSE BILL NO. 1162

AN ACT TO PROVIDE FOR THE PRACTICE AND REGULATION OF MIDWIVES.

A prison or jail impact statement has been requested on HB 1162 because the bill creates a new licensing structure for midwives, with a Class 1 misdemeanor penalty for practicing without a license.

Currently, midwives are not licensed in South Dakota. However, nurse midwives, like nurse practitioners, are licensed. To analyze how this new penalty may affect the jail or prison costs, we looked to §36-9A-35, the current statute on licensing nurse practitioners and nurse midwives. The section of HB 1162 that creates the penalty and the current statute for the nurse practitioners and nurse midwives are nearly identical. There were no arrests and no convictions under §36-9A-35 from January 1, 2010 to December 31, 2015. Due to the low occurrence of violations under §36-9A-35, and because this new statute will likely affect even fewer people, it is the opinion of the LRC that this bill will have little to no impact on prison or jail costs.

Approved: /S/ Jason Hancock

Date: 2/5/16

Director, Legislative Research Council