

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

SENATE BILL NO. 72

AN ACT TO PROHIBIT THE ABORTION OF AN UNBORN CHILD WHO IS CAPABLE OF EXPERIENCING PAIN AND TO PROVIDE A PENALTY THEREFOR.

A prison or jail impact statement was requested for SB 72 due to the creation of a penalty of a Class 6 felony for performing certain types of abortions as prohibited in the bill.

Currently there are two abortion-related felonies in the code, one for knowingly and intentionally aborting a fetus based on gender preference (§34-23A-64), and one for performing a partial birth abortion (§34-23A-27). There have been no arrests and no convictions under either of those laws in the last five years. Due to the low occurrence of abortion violations in South Dakota, and the extremely low numbers of abortion providers in the state, it is the opinion of the LRC that this bill will have negligible impact on the prison or jail population.

Approved: /S/ Jason Hancock

Date: 2/8/16

Director, Legislative Research Council