

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

HOUSE BILL NO. 1161

AN ACT TO PROVIDE FOR AND REGULATE CONSUMER LINES OF CREDIT AND TO
PROVIDE A PENALTY FOR CERTAIN VIOLATIONS.

A prison or jail impact statement has been requested on HB 1161 because the bill creates a new licensing structure for consumer lines of credit, with a Class 1 misdemeanor penalty for practicing without a license.

Currently, individuals in the business of providing consumer lines of credit are not licensed in South Dakota. However, money lending businesses, similar to businesses providing consumer lines of credit, are licensed. To analyze how this new penalty may affect the jail or prison costs, we looked to §54-4-52, the statute on licensing money lending businesses. The section of HB 1161 that creates the penalty and the current statute for the money lending businesses are nearly identical. There were no arrests and no convictions under §54-4-52. 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: 2/16/16

Director, Legislative Research Council