

# State of South Dakota

NINETY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2017

400Y0105

## SENATE BILL NO. 16

Introduced by: The Committee on State Affairs at the request of the Department of Corrections

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding a violation for an  
2 escape from certain facilities, programs, or services located outside the penitentiary.

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

4 Section 1. That § 24-2-27 be amended to read:

5 24-2-27. The Department of Corrections may establish and maintain facilities, programs,  
6 or services outside the precincts of the penitentiary proper and contract with other governmental  
7 entities for the care and maintenance of inmates committed to the penitentiary. However, the  
8 court may not order that an inmate be housed in any particular facility nor may the court order  
9 that an inmate be placed in a specific program or receive specific services. No inmate has any  
10 implied right or expectation to be housed in any particular facility, participate in any specific  
11 program, or receive any specific service,~~and each.~~ Each inmate is subject to transfer from any  
12 one facility, program, or service at the discretion of the warden of the penitentiary. Any escape  
13 from the penitentiary or from a facility, program, or service maintained outside the penitentiary  
14 is a violation of § 22-11A-2 or 22-11A-2.1. Venue for a prosecution for an escape from any  
15 facility is the county where the acts constituting the escape take place.

