

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT
NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY 2017

HOUSE BILL NO. 1170

**AN ACT TO REVISE CERTAIN PROVISIONS REGARDING CONFLICTS OF INTEREST
FOR AUTHORITY, BOARD, OR COMMISSION MEMBERS.**

A prison/jail population cost estimate statement has been requested on HB1170 due to creating an exception for a good faith request for authorization to the Class 1 misdemeanors in sections 9 and 16 of HB 1170.

Currently, under SDCL 3-23-5, any person who knowingly violates SDCL 3-23-1 to 3-23-4 is guilty of a Class 1 misdemeanor. However, there have been no convictions under the current statute for the last six years. Similarly, SDCL 3-23-9 contains a Class 1 misdemeanor for violations of SDCL 3-23-6 to 3-23-8. There has also been no convictions under that current statute in the last six years.

While the changes to HB 1170 enlarge the number of people who could potentially be charged under the current statutes, the penalties in this Act could be considered administrative misdemeanors with the purpose to enforce compliance with the provisions they adhere to. Based on this, and the fact that there have been no convictions under the current statutes, it is the opinion of the Legislative Research Council that the impact of HB 1170 will be negligible.

Approved: /s/ Jason Hancock Date: 2/8/17
Director, Legislative Research Council