

State of South Dakota

NINETY-THIRD SESSION LEGISLATIVE ASSEMBLY, 2018

283Z0625

HOUSE BILL NO. 1109

Introduced by: Representatives Brunner, Ahlers, Campbell, Jensen (Kevin), Lesmeister, Marty, May, Rhoden, Rozum, and Turbiville and Senators Peters, Cronin, Curd, Kennedy, Maher, Partridge, Rusch, Tidemann, and Wiik

1 FOR AN ACT ENTITLED, An Act to provide for parole eligibility and early final discharge for
2 certain inmates.

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

4 Section 1. That chapter 24-15 be amended by adding a NEW SECTION to read:

5 Notwithstanding any contrary provision in this chapter or in chapter 24-15A, an inmate who:

6 (1) Is at least fifty-five years of age;

7 (2) Is classified as an inmate who requires extensive medical care or chronic medical
8 care;

9 (3) Has no conviction for a crime in the first degree;

10 (4) Has served at least ten consecutive years of the inmate's sentence; and

11 (5) Is in compliance with the inmate's individual program directive established under
12 § 24-15A-34, subject to the provisions of section 3 of this Act;

13 is eligible for parole pursuant to rules promulgated by the board in accordance with the
14 provisions of this Act and chapter 1-26.



1 Section 2. That chapter 24-15 be amended by adding a NEW SECTION to read:

2 No inmate is eligible for parole under section 1 of this Act if that inmate lacks adequate
3 means of support for the inmate's medical care without any additional assistance from services
4 provided by a locality.

5 Section 3. That chapter 24-15 be amended by adding a NEW SECTION to read:

6 Any inmate who would otherwise be eligible for parole under section 1 of this Act, but who
7 is not in compliance with the inmate's individual program directive established under § 24-15A-
8 34, may request a hearing before the board for consideration of that inmate's parole eligibility
9 pursuant to the provisions of § 25-15A-39.

10 Section 4. That chapter 24-15 be amended by adding a NEW SECTION to read:

11 Any inmate who is granted parole pursuant to section 1 of this Act and who completes three
12 years of parole without any violation may submit a request to the board personally or through
13 the inmate's parole agent for a final determination of early final discharge. An inmate may
14 submit a request under this section notwithstanding the length of the inmate's sentence for which
15 the inmate was granted parole.