

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT
NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY 2018

HOUSE BILL NO. 1111

**AN ACT TO REVISE CERTAIN DEFINITIONS REGARDING CRIMINAL STREET GANG
ACTIVITY.**

A prison/jail population cost estimate statement has been requested on HB 1111 due to the bill containing a penalty enhancement for a crime committed in furtherance of street gang activity.

HB 1111 amends the definition of a street gang member and adds a definition of street gang activity under SDCL 22-10A-1. The penalty enhancement contained in HB 1111 is already codified in SDCL 22-10A-3. According to data from the Unified Judicial System, the enhancement has never been charged since enactment.

While the definitions changed and added by HB 1111 may result in more individuals qualifying for charges, the fact that the Unified Judicial System shows no charges have been made under mostly similar criteria causes the Legislative Research Council to conclude that the impact on prison and jail costs is likely to be low.

Approved: /s/ Jason Hancock Date: 2/9/18
Director, Legislative Research Council