

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

**SENATE BILL NO. 92**

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AN ACT TO PROVIDE A FELONY PENALTY FOR THE INTENTIONAL INJURY OR  
DISFIGUREMENT BY CERTAIN CORROSIVE MATERIALS.

A prison/jail population cost estimate statement is required on SB92 due to creating a Class 4 felony for any person who willfully or maliciously places or throws certain corrosive materials on another person with the intent to injure or disfigure that person. SB 92 also indicates that the punishment under SB 92 is in addition to any other punishment imposed.

In our research, the Legislative Research Council was unable to find any case in South Dakota that involved an assault using corrosive materials.

This Act describes a crime that if prosecuted could result in a prison sentence. However, due to a lack of known cases in South Dakota, a violation and prosecution is likely to be rare. Therefore, the impact on prison populations and jail populations is estimated to be low.

Approved: Jason Hancock /s/

Date: 2/9/18

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Director, Legislative Research Council