

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0309

HOUSE BILL NO. 1006

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

1 FOR AN ACT ENTITLED, An Act to revise the time requirements for parole reports and plans.

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

3 Section 1. That § 24-15A-35 be amended to read:

4 24-15A-35. At least thirty days prior to an inmate's initial parole date, the warden shall
5 notify the board in writing of the inmate's substantive compliance or noncompliance with the
6 inmate's individual program directive. If an award of earned discharge credit moves an inmate's
7 initial parole date to within thirty days, the compliance report shall be completed no later than
8 seven calendar days from the date of the application of the credits. If there is insufficient
9 information for the warden to determine substantive compliance or noncompliance, the warden
10 shall report a finding of undetermined compliance to the board. The warden shall also notify the
11 inmate in writing of the warden's report of substantive compliance, noncompliance, or
12 undetermined compliance. At least thirty days prior to an inmate's subsequent, discretionary
13 parole hearing, the warden shall submit to the board an updated report of the inmate's conduct
14 and progress since the last hearing.

15 Section 2. That § 24-15A-36 be amended to read:



1 24-15A-36. At least thirty days prior to an inmate's parole date, the inmate shall submit a
2 parole release plan to the executive director of the board. If an award of earned discharge credit
3 moves an inmate's initial parole date to within thirty days, the inmate shall submit the release
4 plan upon completion of the plan. This plan will include the inmate's proposed residence,
5 employment, or means of support, and any specialized treatment, counseling, or educational
6 services the inmate proposes to be involved with upon parole. This plan is subject to approval
7 by the executive director of the board. The executive director may require an inmate to modify
8 a release plan prior to approval.