

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

193B0784

## HOUSE JUDICIARY ENGROSSED NO. **SB 167** - 3/4/2019

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Senator Partridge

1 FOR AN ACT ENTITLED, An Act to establish a legislative study to study the crime of  
2 ingestion of controlled substances.

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

4 Section 1. That chapter 2-6 be amended by adding a NEW SECTION to read:

5 There is hereby established a legislative study comprised of a total of fifteen members, with  
6 any vacancy on the study to be filled in the same manner as the original appointment, and  
7 including:

- 8 (1) Three members of the Senate, two of whom to be members of the Republican party  
9 and one of whom to be a member of the Democrat party;
- 10 (2) Three members of the House of Representatives, two of whom to be members of the  
11 Republican party and one of whom to be a member of the Democrat party;
- 12 (3) The secretary of the Department of Social Services;
- 13 (4) The secretary of the Department of Corrections;
- 14 (5) The attorney general;



- 1 (6) Two members to be appointed by the Governor who are members of the law  
2 enforcement community, including a sheriff and a state's attorney;
- 3 (7) Two members from the Unified Judicial System; and
- 4 (8) Two members who are representatives of the South Dakota Association of County  
5 Commissioners, including a county commissioner.

6 Section 2. That chapter 2-6 be amended by adding a NEW SECTION to read:

7 The legislative study established under section 1 of this Act shall study and evaluate:

- 8 (1) Alternatives to imprisonment for any person charged and convicted of controlled  
9 substance offenses in order to more adequately assist the person with substance abuse  
10 issues;
- 11 (2) Possible funding alternatives as well as the financial ramifications of controlled  
12 substance offenses on the state, the counties of the state, law enforcement, substance  
13 abuse treatment facilities, and any other interested person that may be affected.

14 Section 3. That chapter 2-6 be amended by adding a NEW SECTION to read:

15 The legislative study established under section 1 of this Act shall report to the Legislature  
16 and the Governor before the beginning of the Ninety-Fifth Legislative Session, including any  
17 draft legislation or policy recommendations.

18 Section 4. That chapter 2-6 be amended by adding a NEW SECTION to read:

19 The legislative study established under section 1 of this Act shall be under the supervision  
20 of the Executive Board of the Legislative Research Council and staffed and funded as an interim  
21 legislative committee.

22 Section 5. This Act is repealed on July 1, 2020.