



2020 South Dakota Legislature

Senate Bill 44

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

1 **An Act to authorize the use of crime victims' compensation funds to reimburse law**
 2 **enforcement for certain emergency expenses incurred for victims.**

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

4 **Section 1.** That § 23A-28B-40 be AMENDED:

5 **23A-28B-40. Crime victims' compensation fund--Establishment--Purposes.**

6 There is established within the state treasury the crime victims' compensation fund,
 7 into which shall be deposited surcharges collected pursuant to § 23A-28B-42, deductions
 8 from prison industries revenues or inmate wages pursuant to subdivision 24-7-3(1),
 9 contributions, grants, payments ordered by the court, interest received on moneys in the
 10 fund, and all other fees and moneys collected for the purposes of this chapter. This fund
 11 shall be used for the purposes of paying compensation awards and administering the crime
 12 victims' compensation program as provided for in this chapter. The fund may also be used
 13 as provided in § 23A-28B-40.1.

14 **Section 2.** That a NEW SECTION be added:

15 **23A-28B-40.1. Emergency expenses--Requests for reimbursement.**

16 The department may use the crime victims' compensation fund to reimburse a law
 17 enforcement agency or law enforcement officer for any actual expenses incurred for the
 18 payment of emergency expenses, including food and shelter, for any person if:

19 (1) A law enforcement officer reasonably believes the person was the victim of a crime;

20 and

21 (2) No other services were reasonably available for the victim at the time.

22 Any law enforcement agency or law enforcement officer seeking reimbursement
 23 under this section shall submit to the department a request and the receipts for the
 24 expenses incurred for any victim as provided in this section.