



2020 South Dakota Legislature

Senate Bill 78

Introduced by: **Senator Klumb**

1 **An Act to increase funding for court appointed special advocates.**

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

3 **Section 1.** That § 23-3-52 be AMENDED:

4 **23-3-52. Liquidated costs assessed for law enforcement and judicial**
 5 **expenses for personnel, training, and facilities--Amount.**

6 In addition to any other penalty, assessment, or fine provided by law, there shall
 7 be levied liquidated costs in the amount of ~~forty~~ forty-three dollars for partial
 8 reimbursement to state government and its subdivisions for law enforcement and judicial
 9 expenses incurred in providing the personnel, training, and facilities relative to the criminal
 10 justice system and to the 911 emergency reporting system, on each conviction for the
 11 following:

- 12 (1) Violation of state statutes or ~~regulations~~ rules having criminal penalties; or
 13 (2) Violation of county or municipal ordinances.

14 If a fine is suspended in whole or in part, the liquidated costs for law enforcement and
 15 training may not be reduced, except that the judge may waive all or any part of the
 16 payment of liquidated costs which would work a hardship on the person convicted or on
 17 the person's immediate family.

18 **Section 2.** That § 23-3-53 be AMENDED:

19 **23-3-53. Collection by clerk of courts--Transmittal to state treasurer--**
 20 **Disposition.**

21 After a determination by the court of the amount due, the clerk of courts shall
 22 collect the amount due and transmit such amount monthly to the state treasurer. The
 23 state treasurer shall place thirty dollars of the ~~forty~~ forty-three dollar fee into the law
 24 enforcement officers training fund, six dollars of the ~~forty~~ forty-three dollar fee into the
 25 court appointed attorney and public defender payment fund, ~~two~~ five dollars of the ~~forty~~

- 1 forty-three dollar fee into the court appointed special advocates fund, one dollar of the
- 2 ~~forty~~forty-three dollar fee into the 911 telecommunicator training fund, and one dollar of
- 3 the ~~forty~~forty-three dollar fee into the abused and neglected child defense fund.