

# **PRISON/JAIL POPULATION COST ESTIMATE STATEMENT**

Ninety-Fifth SESSION  
2020 South Dakota Legislature

## **Senate Bill 6**

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An Act to revise certain conditions under which presumptive probation may be applied.

\*\*\*This PJPCE is for Amendment 6A for Senate Bill 6.\*\*\*

A prison/jail population cost estimate statement is required for Amendment 6A to SB6 because the bill requires persons convicted of certain Class 5 and 6 felonies to cooperate with law enforcement to receive presumptive probation.

Amendment 6A functionally works the same as the original bill with the distinction that it provides judges more discretion about whether to consider failing to cooperate as an aggravating circumstance. LRC cannot estimate the likelihood a judge would consider failing to cooperate an aggravating circumstance. However, since this discretion could only reduce the number of individuals who would become ineligible from presumptive probation, as compared to Senate Bill 6, the amendment could potentially have no impact on prison or jail costs or could have a fiscal impact up to the amount outlined in the original PJPCE completed for Senate Bill 6.

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