

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT

Ninety-Fifth SESSION
2020 South Dakota Legislature

House Bill 1088

An Act to create a penalty for violation of a vulnerable adult protection order and to revise certain provisions regarding protection orders.

A prison/jail population cost estimate statement is required for Amendment 1088E to HB1088 because the amendments would consider violations of SDCL 21-65-19 (vulnerable adult protection orders) in determining whether a person has a third or subsequent violation of SDCL 22-19A-16 (stalking protection orders) or SDCL 25-10-13 (domestic protection orders). A third or subsequent violation of these statutes is a Class 6 felony.

To analyze the impact of the amendments to HB 1088, the Legislative Research Council looked at violations of SDCL 22-19A-16 and SDCL 25-10-13. Over the past ten years there have been 30 violations of SDCL 22-19A-16 and 145 convictions under SDCL 25-10-13.

Over the past two years vulnerable adult protection orders represent .5% of the combined number of vulnerable adult protection orders, stalking protection orders, and domestic protection orders. Therefore, the LRC estimates that the amendment to HB 1088 will have no impact on prison and jail costs, above the impact estimated for the original bill, in the next year and over the next ten years.

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