

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

445A0438

HOUSE ENGROSSED NO. **SB112** - 3/5/97

Introduced by: Senators Hutmacher and Hunhoff and Representative Moore

1 FOR AN ACT ENTITLED, An Act to revise the penalty for theft by an employee of certain
2 facilities.

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

4 Section 1. That § 22-30A-17 be amended to read as follows:

5 22-30A-17. Theft is grand theft, if:

6 (1) The value of the property stolen exceeds five hundred dollars;

7 (2) Repealed by SL 1990, ch 165, § 2.

8 (3) Property of any value is taken from the person of another; or

9 (4) In the case of theft by receiving stolen property, the receiver is a dealer in stolen
10 property, the value of the property stolen exceeds five hundred dollars in value.

11 Theft in all other cases is petty theft. Grand theft is a Class 4 felony. Petty theft is divided
12 into two degrees. Petty theft of one hundred dollars or more is in the first degree and is a Class
13 1 misdemeanor. Petty theft is in the first degree and is a Class 1 misdemeanor if the theft is of
14 money or property of any value less than five hundred dollars belonging to a resident or patient
15 of a hospital, nursing facility, chemical dependency facility, assisted living center, development
16 center, human services center, or any residential facility for the mentally ill, mentally retarded,

- 1 or developmentally disabled and if the theft is committed by an employee of the facility.
- 2 Otherwise petty theft of less than one hundred dollars is in the second degree and is a Class 2
- 3 misdemeanor.

1 **BILL HISTORY**

2 1/23/97 First read in Senate and referred to Judiciary. S.J. 140

3 1/31/97 Scheduled for Committee hearing on this date.

4 1/31/97 Judiciary Deferred to another day. S.J. 274

5 2/3/97 Judiciary Do Pass Amended, Passed, AYES 6, NAYS 0. S.J. 295

6 2/5/97 Senate Do Pass Amended, Passed, AYES 24, NAYS 9. S.J. 329

7 2/6/97 First read in House and referred to Judiciary. H.J. 354

8 2/21/97 House of Representatives Re-referred to State Affairs. H.J. 629

9 2/28/97 Scheduled for Committee hearing on this date.

10 3/3/97 State Affairs Do Pass Amended, Passed, AYES 12, NAYS 0.

11 3/3/97 Scheduled for Committee hearing on this date.

12 3/3/97 State Affairs Do Pass Amended, Passed, AYES 12, NAYS 0.

13 3/4/97 Motion to Amend, Passed. H.J. 868

14 3/4/97 Motion to Amend, Passed.

15 3/4/97 House of Representatives Do Pass Amended, Passed, AYES 65, NAYS 3. H.J. 869