

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

400A0602

HOUSE ENGROSSED NO. **SB168** - 3/5/97

Introduced by: Senators Rounds, Dennert, Drake, and Munson (David) and Representatives
Van Gerpen, Duniphan, and Richter

1 FOR AN ACT ENTITLED, An Act to revise the penalties for inmate escape from Department
2 of Corrections custody.

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

4 Section 1. That chapter 22-11A be amended by adding thereto a NEW SECTION to read
5 as follows:

6 A conviction under § 22-11A-2 as a result of an escape from Department of Corrections
7 custody shall be punished by a mandatory sentence in the state penitentiary of not less than seven
8 years, which may not be suspended. Probation or suspended execution of sentence may not form
9 the basis for reducing the mandatory time of incarceration required by this section.

10 Section 2. That chapter 22-11A be amended by adding thereto a NEW SECTION to read
11 as follows:

12 A penitentiary sentence arising from a conviction under section 1 of this Act may not
13 commence until the expiration, with no allowance of good time, of the last sentence of
14 imprisonment, pursuant to § 23A-27-36.

15 Section 3. That chapter 22-11A be amended by adding thereto a NEW SECTION to read

1 as follows:

2 Any inmate sentenced under section 1 of this Act shall serve the entire term of the inmate's

3 sentence and is not eligible for parole release as authorized under chapter 24-15A.

1 **BILL HISTORY**

2 1/29/97 First read in Senate and referred to Judiciary. S.J. 212

3 2/7/97 Scheduled for Committee hearing on this date.

4 2/7/97 Judiciary Do Pass, Passed, AYES 4, NAYS 3. S.J. 350

5 2/10/97 Senate Do Pass, Passed, AYES 19, NAYS 16. S.J. 377

6 2/11/97 First read in House and referred to Judiciary. H.J. 424

7 2/27/97 Scheduled for Committee hearing on this date.

8 2/27/97 Judiciary Do Pass Amended, Passed, AYES 11, NAYS 2. H.J. 771

9 3/4/97 Motion to Amend, Passed, AYES 37, NAYS 30. H.J. 866

10 3/4/97 House of Representatives Do Pass Amended, Passed, AYES 41, NAYS 26. H.J. 866