

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

400A0602

SENATE BILL NO. 168

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 sentence may not be suspended. Probation or suspended execution of sentence may
9 not form 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.