

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

841B0164

HOUSE JUDICIARY COMMITTEE ENGROSSED NO. **HB1210** - 2/3/98

Introduced by: Representatives Duniphan, Brooks, Brown (Gary), Madden, and Wetz and
Senators Vitter and Shoener

1 FOR AN ACT ENTITLED, An Act to provide for the forfeiture of security for failure to comply

2 with the provisions of § 23A-43-4.2.

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

4 Section 1. That § 23A-43-31 be amended to read as follows:

5 23A-43-31. Any person who, having been released pursuant to this chapter, fails to appear
6 before any court or judicial officer as required or fails to comply with the provisions of § 23A-
7 43-4.2 shall, subject to the provisions of this title, forfeit any security which was given or pledged
8 for such person's release and, in addition, shall:

9 (1) If such person was released in connection with a charge of a felony, an alleged felony
10 violation of § 32-23-1, or while awaiting sentence or pending appeal or certiorari after
11 conviction of any offense, be guilty of a Class 6 felony;

12 (2) If such person was released in connection with a charge of a misdemeanor, be guilty
13 of a Class 1 misdemeanor; or

14 (3) If such person was released for appearance as a material witness, be guilty of a Class
15 1 misdemeanor.

1 **BILL HISTORY**

2 1/21/98 First read in House and referred to Judiciary. H.J. 152

3 2/2/98 Scheduled for Committee hearing on this date.

4 2/2/98 Judiciary Do Pass Amended, Passed, AYES 13, NAYS 0. H.J. 332