

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

841B0164

## HOUSE BILL NO. 1210

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 imposed conditions of release.

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 imposed conditions of  
7 release shall, subject to the provisions of this title, forfeit any security which was given or  
8 pledged 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.