

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0200

SENATE BILL NO. 16

Introduced by: The Committee on Judiciary at the request of the Department of Corrections

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding receipts and
2 reimbursement for inmate transports to the penitentiary.

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

4 Section 1. That § 7-12-22 be amended to read as follows:

5 7-12-22. The county shall pay all necessary expenses, including travel, incurred in the
6 transportation of adult and juvenile prisoners to state correctional ~~or rehabilitation~~ institutions
7 ~~or installations~~. The county may be reimbursed by the state auditor ~~upon vouchers approved by~~
8 ~~the secretary of corrections~~, from funds appropriated for such purpose ~~in accordance with rates~~
9 ~~and regulations applicable to travel for regular employees of the state as established by the State~~
10 ~~Board of Finance. A receipt for prisoners transported, duly signed by the official into whose care~~
11 ~~and control such prisoners were delivered, shall be submitted to the state auditor when such~~
12 ~~claim for reimbursement of expenses is made. The claim shall be in compliance with § 3-9-8.~~
13 ~~Reimbursement for the expenses of transporting prisoners for no more than one guard for one~~
14 ~~prisoner and one additional guard for every two additional prisoners may be claimed by any~~
15 ~~guard who transported the prisoners, who shall receive twenty dollars per day and such sums as~~
16 ~~may be necessary for actual traveling expenses.~~

1 Section 2. That § 23A-27-30 be amended to read as follows:

2 23A-27-30. If the judgment is for imprisonment in the state penitentiary, the sheriff of the
3 county ~~must~~ shall, upon receipt of a certified copy ~~thereof~~ of the judgment, take and deliver the
4 defendant to the warden of the state penitentiary. He ~~must~~ shall also deliver to the warden or
5 other proper officer a certified copy of the judgment, ~~and take from the warden or other proper~~
6 ~~officer a receipt for the defendant, and make return thereof to the court.~~