

## AN ACT

ENTITLED, An Act to criminalize the possession of certain contraband in juvenile correctional facilities and the delivery of certain contraband to juvenile correctional facilities.

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

Section 1. No alcoholic beverages, controlled substances as defined by chapter 34-20B, hallucinogens, marijuana, or weapons as defined in subdivision 22-1-2(10), may be possessed by any juvenile in or on the grounds of a juvenile correctional facility or jail. No prescription or nonprescription drugs may be possessed by any juvenile in or on the grounds of a juvenile correctional facility or jail except by order of a physician. Such order shall be in writing and for a definite period. A violation of this section is an act of delinquency.

Section 2. No employee or other person may deliver or procure to be delivered, or have in such person's possession with intent to deliver, to any juvenile in or on the grounds of any juvenile correctional facility or jail, or deposit or conceal in or on the grounds of a juvenile correctional facility or jail, or in any mode of transport entering the grounds of a juvenile correctional facility and its ancillary facilities used to house juveniles, any article or thing contrary to § 24-11-47 with intent that any juvenile obtain or receive the same. A violation of this section is a Class 6 felony.

Section 3. That chapter 24-11 be amended by adding thereto a NEW SECTION to read as follows:

A juvenile correctional facility pursuant to this Act is a juvenile detention facility as defined in subdivision 26-7A-1(16) or a juvenile facility operated by the Department of Corrections under § 1-15-1.4.

An Act to criminalize the possession of certain contraband in juvenile correctional facilities and the delivery of certain contraband to juvenile correctional facilities.

=====

I certify that the attached Act  
originated in the

SENATE as Bill No. 128

\_\_\_\_\_  
Secretary of the Senate  
=====

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 128  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

=====

Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

19\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
=====

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 19\_\_\_\_

\_\_\_\_\_  
Governor  
=====

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_ , 19\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Ass. Secretary of State