

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

556C0107

## HOUSE BILL NO. 1022

Introduced by: Representatives Brown (Jarvis), Apa, Duniphan, and Fitzgerald and Senators Albers and Whiting at the request of the Interim Judiciary Committee

1 FOR AN ACT ENTITLED, An Act to provide for an extension of the period of imprisonment  
2 as a condition for probation or suspension of sentence.

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

4 Section 1. That § 23A-27-18.1 be amended to read as follows:

5 23A-27-18.1. The conditions of probation imposed pursuant to § 23A-27-12 or 23A-27-13  
6 or the conditions of suspension of execution imposed pursuant to § 23A-27-18, may include the  
7 requirement that the defendant be imprisoned in the county jail for a specific period not  
8 exceeding one hundred eighty days or in the state penitentiary for a specific period not exceeding  
9 ~~sixty~~ one hundred eighty days or the sentence which was imposed or which may be imposed by  
10 law, whichever is less. The imprisonment may be further restricted to certain days specified by  
11 the court as part of such conditions. Any such imprisonment, either in the county jail or state  
12 penitentiary, shall be credited toward any incarceration imposed upon any subsequent revocation  
13 of a suspended imposition or execution of sentence. During any such imprisonment the defendant  
14 shall be subject to all policies, rules, and regulations of the county jail or state penitentiary.