

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

447C0744

HOUSE JUDICIARY COMMITTEE ENGROSSED NO. **HB1217** - 2/3/99

Introduced by: Representatives Hennies, Apa, Broderick, Koehn, Kooistra, Lintz, and McIntyre and Senators Ham, Albers, Bogue, Drake, Dunn (Rebecca), Kleven, Lawler, and Vitter

- 1 FOR AN ACT ENTITLED, An Act to revise the procedure for determining the period of time
2 that has elapsed for a person who was previously convicted of driving under the influence.
3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
4 Section 1. That § 32-23-4.1 be amended to read as follows:
5 32-23-4.1. No previous conviction for, or plea of guilty to, a violation of § 32-23-1 occurring
6 more than five years prior to the date of the violation being charged may be used to determine
7 that the violation being charged is a second, third, or subsequent offense. However, any period
8 of time during which the defendant was incarcerated for a previous violation may not be included
9 when calculating if the time period provided in this section has elapsed.

1 **BILL HISTORY**

2 1/27/99 First read in House and referred to committee assignment waived. H.J. 215

3 1/28/99 Referred to Judiciary. H.J. 240

4 2/1/99 Scheduled for Committee hearing on this date.

5 2/1/99 Judiciary Do Pass Amended, Passed, AYES 11, NAYS 0. H.J. 311