

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

337H0143

## HOUSE BILL NO. 1081

Introduced by: Representatives Madsen, Abdallah, Bartling, Brown (Jarvis), Davis, Duenwald, Fryslie, Garnos, Gillespie, Hargens, Hennies (Thomas), Holbeck, Hunhoff, Juhnke, Klaudt, Lintz, McCaulley, McCoy, Michels, Monroe, Murschel, Nachtigal, Napoli, Peterson (Bill), Peterson (Jim), Pitts, Rhoden, Sebert, Sutton (Duane), Teupel, and Van Gerpen and Senators Greenfield, Apa, Bogue, Hutmacher, McCracken, Moore, and Olson (Ed)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the revocation of  
2 driving privileges upon conviction for unlawful sales or purchases of alcoholic beverages  
3 involving persons under twenty-one years of age.

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

5 Section 1. That § 35-9-7 be amended to read as follows:

6 35-9-7. If the conviction or adjudication for a violation of § 35-9-1.1 or 35-9-2 is for a first  
7 offense, the court shall, in addition to any other penalty allowed by law, order the suspension of  
8 the defendant's driving privileges for a period not less than thirty days and not to exceed one  
9 year. However, the court may issue an order permitting the person to operate a motor vehicle  
10 for purposes of the ~~person's~~ defendant's employment or attendance at school or to court-ordered  
11 counseling programs during the hours of the day and the days of the week set forth in the order.  
12 The court may also restrict the privilege in ~~such~~ some other manner as ~~it sees fit for a period not~~  
13 ~~to exceed one year~~ the court may see fit.



1        If the conviction or adjudication for a violation of § 35-9-1.1 or 35-9-2 is for a second or  
2 subsequent offense, the court shall, in addition to any other penalty allowed by law, order the  
3 suspension of the defendant's driving privileges for a period not less than sixty days and not to  
4 exceed one year. However, the court may issue an order permitting the person to operate a  
5 motor vehicle for purposes of the defendant's employment or attendance at school or to court-  
6 ordered counseling programs during the hours of the day and the days of the week set forth in  
7 the order. The court may also restrict the privilege in some other manner as the court may see  
8 fit.