

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

337H0143

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1081 - 01/18/2002

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 or
2 suspension of driving privileges upon conviction for unlawful sales, purchases, possession,
3 or consumption of alcoholic beverages 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~~ person's driving privileges for a period not less than thirty days and not to exceed
9 one year. However, the court may issue an order permitting the person to operate a motor
10 vehicle for purposes of the person'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~~ the court may see



1 fit for a period not to exceed one year.

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