

State of South Dakota

EIGHTY-SECOND SESSION LEGISLATIVE ASSEMBLY, 2007

348N0750

SENATE BILL NO. 192

Introduced by: Senators Apa, Hundstad, Maher, Napoli, and Smidt (Orville) and
Representatives Kirkeby, Buckingham, Elliott, Halverson, Haverly, Hills,
Jerke, Nelson, Nygaard, Pederson (Gordon), Pitts, Thompson, Turbiville, Van
Etten, and Van Norman

1 FOR AN ACT ENTITLED, An Act to require defendants to perform community service
2 restitution when found guilty of vandalism to property in public or private cemeteries.

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

4 Section 1. That chapter 34-27 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any person who is found guilty pursuant to chapter 22-34 of injuring, damaging, or
7 destroying any property in a public or private cemetery shall be ordered by the court to perform
8 at least eight hundred hours of community service within two years of the date that the
9 sentencing court orders are made. The court services officer assigned to the defendant, shall
10 prepare a plan of community service restitution, including the number of work hours to be
11 performed, where the community service work is to be performed, and the time necessary for
12 completion of the community service work pursuant to chapter 23A-28. The community service
13 work shall be performed in a cemetery within a fifty-mile radius of the defendant's home.

