



2021 South Dakota Legislature

Senate Bill 146

SENATE ENGROSSED

Introduced by: **Senator Rusch**

1 **An Act to revise certain provisions regarding eligibility for parole for certain persons**
 2 **sentenced to life imprisonment.**

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

4 **Section 1.** That § 24-15-4 be AMENDED.

5 **24-15-4. Person sentenced to life imprisonment ineligible for parole--**

6 **Exceptions.**

7 No ~~inmate person~~ sentenced to life imprisonment is eligible for parole by the Board
 8 of Pardons and Paroles except as

9 (1) As provided in §§ 24-15A-55 to 24-15A-68, inclusive; or

10 (2) A person who was sentenced to life imprisonment for an offense that was
 11 committed when the person was twenty-five years of age or younger is thereby
 12 eligible for discretionary parole consideration when the person reaches fifty years
 13 of age.

14 If a person considered for discretionary parole pursuant to subdivision (2) of this
 15 section is denied parole, the board shall establish a discretionary parole date of not more
 16 than two years from the date of denial. Subsequent discretionary hearings shall be held
 17 at intervals of not more than two years.

18 A person granted parole pursuant to subdivision (2) of this section is otherwise
 19 subject to the provisions of chapters 24-13, 24-15, and 24-15A.

20 **Section 2.** The provisions of this Act apply retroactively.