

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

428Y0046

HOUSE JUDICIARY ENGROSSED NO. **HB 1001** 2/22/2017

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Johns, Haggar, and Hawley and Senators Cammack, Bolin, Sutton, and White at the request of the Executive Board of the Legislative Research Council

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding prison or jail
2 population cost estimates.

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

4 Section 1. That § 2-1-19 be amended to read:

5 2-1-19. A prison or jail population cost estimate shall be attached to any bill; or amendment,
6 ~~or measure proposed by ballot initiative~~ except misdemeanor penalties, that may impact the state
7 prison or county jail population. A prison or jail population cost estimate shall be attached to
8 any measure proposed by ballot initiative, except Class 2 misdemeanor penalties, that may
9 impact the state prison or county jail population. A prison or jail population cost estimate shall
10 be prepared for a bill or amendment with a Class 1 misdemeanor penalty only upon a request
11 authorized by the rules of the Legislature. The requirement for a cost estimate includes each bill
12 ~~or~~, amendment, or ballot initiative that meets the penalty requirements of this section and that
13 increases the period of imprisonment authorized for an existing crime, that adds a new crime



1 for which imprisonment is authorized, that imposes a minimum or mandatory minimum term
2 of imprisonment, or that modifies any law governing release of a prisoner from imprisonment
3 or supervision.

4 The sponsor of the legislation, amendment, or ballot initiative shall request and allow
5 sufficient time to prepare a cost estimate from the ~~Bureau of Finance and Management or the~~
6 Legislative Research Council. The cost estimate shall be completed for a bill or amendment
7 before the bill or amendment is considered by any standing committee of the Legislature. Any
8 ballot initiative shall have a cost estimate attached to the Attorney General's statement required
9 pursuant to § 12-13-9 or 12-13-25.1.

10 Section 2. That § 2-1-20 be amended to read:

11 2-1-20. A cost estimate pursuant to § 2-1-19 shall include ~~the following~~:

- 12 (1) An analysis of the specific components ~~of the bill or the ballot initiative~~ that will
13 impact the prison and jail population;
- 14 (2) The projected cost of the impact ~~of the bill~~ on the state prison system and the
15 aggregate cost to county jails on an annual basis and cost ~~of the bill~~ over a ten year
16 period; and
- 17 (3) Operational costs and capital costs including all manner of construction.

18 Section 3. The Code Counsel shall transfer §§ 2-1-19 and 2-1-20 to chapter 2-9.