

AN ACT

ENTITLED, An Act to revise certain provisions regarding prison or jail population cost estimates.

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

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

2-1-19. A prison or jail population cost estimate shall be attached to any bill or amendment, except misdemeanor penalties, that may impact the state prison or county jail population. A prison or jail population cost estimate shall be attached to any measure proposed by ballot initiative, except Class 2 misdemeanor penalties, that may impact the state prison or county jail population. A prison or jail population cost estimate shall be prepared for a bill or amendment with a Class 1 misdemeanor penalty only upon a request authorized by the rules of the Legislature. The requirement for a cost estimate includes each bill, amendment, or ballot initiative that meets the penalty requirements of this section and that increases the period of imprisonment authorized for an existing crime, that adds a new crime for which imprisonment is authorized, that imposes a minimum or mandatory minimum term of imprisonment, or that modifies any law governing release of a prisoner from imprisonment or supervision.

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

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

2-1-20. A cost estimate pursuant to § 2-1-19 shall include:

- (1) An analysis of the specific components that will impact the prison and jail population;
- (2) The projected cost of the impact on the state prison system and the aggregate cost to

county jails on an annual basis and cost over a ten year period; and

- (3) Operational costs and capital costs including all manner of construction.

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

An Act to revise certain provisions regarding prison or jail population cost estimates.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1001

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1001

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State