

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

463C0285

HOUSE BILL NO. 1206

Introduced by: Representatives Koetzle, Brown (Jarvis), and Haley and Senators Moore and Everist

1 FOR AN ACT ENTITLED, An Act to provide for the release of confidential criminal justice
2 information under certain circumstances.

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

4 Section 1. That chapter 23-5 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Confidential criminal justice information pertaining to any case that is unresolved after fifty
7 years of the occurrence giving rise to the case is public information and shall be released pursuant
8 to this section. The law enforcement agency having custody of the information shall publish a
9 notice once each week for at least two successive weeks in a newspaper of general circulation
10 published in the county where the case arose, if there is one, or if there is no newspaper of
11 general circulation, in a newspaper that is most likely to give notice of the release of the
12 information. Any member of the family of the victim or an accused person may object to the
13 release of the information. If any such objection is made, the information shall remain confidential
14 for ten more years, at which time, and every ten years thereafter until the information is released,
15 the law enforcement agency shall give notice and take objections as prescribed by this section.