

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

537H0128

## HOUSE BILL NO. 1173

Introduced by: Representatives Jensen, Bartling, Duenwald, Fryslie, Hennies (Thomas),  
Kooistra, and Monroe and Senators Munson, de Hueck, Duxbury, McIntyre,  
and Whiting

1 FOR AN ACT ENTITLED, An Act to assign responsibility for costs of prosecution and defense  
2 of inmates who commit crimes while under the control of the Department of Corrections.

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

4 Section 1. That chapter 1-15 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 If any inmate, as defined in § 1-15-20.1, commits a criminal offense while confined in any  
7 prison, facility, or program under the control of the Department of Corrections pursuant to § 1-  
8 15.1.4, the attorney general shall pay all costs for prosecution of the individual. The Department  
9 of Corrections shall pay all costs for defense of the individual, including costs for hearings,  
10 transcripts, appointed counsel, expert witnesses, and staff, from funds appropriated to the  
11 Department of Corrections. The court may order the defendant to reimburse the Department of  
12 Corrections for such costs.

