

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

975H0266

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1113** - 02/05/2002

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

Introduced by: Representatives Hennies (Thomas), Hennies (Don), Kooistra, McCoy, Monroe, Murschel, Nesselhuf, Pederson (Gordon), Pitts, Slaughter, Van Etten, and Van Gerpen and Senators Whiting, Daugaard, de Hueck, Dennert, Ham, Kleven, McCracken, McIntyre, Moore, Olson (Ed), Reedy, Staggers, Sutton (Dan), and Volesky

1 FOR AN ACT ENTITLED, An Act to require the Department of Corrections to seek
2 membership in the Performance-based Standards Project and to declare an emergency.

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

4 Section 1. The Department of Corrections shall seek membership in the Performance-based
5 Standards Project sponsored by the Office of Juvenile Justice and Delinquency Prevention,
6 United States Department of Justice. The Department of Corrections shall apply for membership
7 as an implementation site and shall sign an agreement with the Council of Juvenile Correctional
8 Administrators, hereinafter referred to as the council, committing adequate resources to
9 complete the data collection cycles and facility improvement plans.

10 Section 2. If the membership application in section 1 of this Act is approved, the Department
11 of Corrections shall apply to the council for demonstrated program funding provided by the
12 Office of Juvenile Justice Delinquency Prevention to support changes and actions outlined in



1 facility improvement plans.

2 Section 3. If the membership application in section 1 of this Act is approved, the department
3 may request federal spending authority from the committee created in § 4-8A-2.

4 Section 4. If the membership application in section 1 of this Act is approved, the Department
5 of Corrections shall appoint at least one manager who shall organize and supervise agency
6 resources and activities to achieve membership and completion of designated programs.

7 Section 5. No child in the custody of the State of South Dakota or any subdivision thereof
8 may be placed in any program unless that program is actively seeking membership in the
9 Performance-based Standards Project, has completed designated programs involved with
10 membership in the council, is actively seeking accreditation through application, or is accredited
11 by the American Corrections Association if such accreditation is available.

12 Section 6. The Department of Corrections shall write a report detailing the assessments made
13 by the council and the actions taken by the department. The Department of Corrections shall
14 present the report semiannually to the Corrections Commission, established in § 1-15-1.13,
15 beginning on June 30, 2002. The department shall present the report to the Governor and the
16 Legislature annually, beginning on January 1, 2003.

17 Section 7. Whereas, this Act is necessary for the support of the state government and its
18 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full
19 force and effect from and after its passage and approval.