

# Offenses Regarding Controlled Substances 2019 Legislative Study



## TITLE OF STUDY

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Study Offenses Regarding Controlled Substances. (SB167-2019)

(The Executive Board added a subgroup: Fighting Methamphetamine Addiction.)

## SCOPE OF STUDY

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SB167 – Section 2, states in part: The legislative study shall study and evaluate:

- (1) Alternatives to imprisonment for any person charged and convicted of controlled substance offenses in order to more adequately assist the person with substance abuse issues;
- (2) Possible funding alternatives as well as the financial ramifications of controlled substance offenses on the state, the counties of the state, law enforcement, substance abuse treatment facilities, and any other interested person that may be affected.

[SB167](#) attached.

## COMMITTEE MEMBERS

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*Greg Sattizahn, State Court Administrator*

*Kevin Thom, Pennington County Sheriff*



## AN ACT

ENTITLED, An Act to establish a legislative study to study offenses regarding controlled substances.

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

Section 1. That chapter 2-6 be amended by adding a NEW SECTION to read:

There is hereby established a legislative study comprised of a total of fifteen members, with any vacancy on the study to be filled in the same manner as the original appointment, and including:

- (1) Three members of the Senate, two of whom to be members of the Republican party and one of whom to be a member of the Democrat party;
- (2) Three members of the House of Representatives, two of whom to be members of the Republican party and one of whom to be a member of the Democrat party;
- (3) The secretary of the Department of Social Services;
- (4) The secretary of the Department of Corrections;
- (5) The attorney general;
- (6) Two members to be appointed by the Governor who are members of the law enforcement community, including a sheriff and a state's attorney;
- (7) Two members from the Unified Judicial System; and
- (8) Two members who are representatives of the South Dakota Association of County Commissioners, including a county commissioner.

Section 2. That chapter 2-6 be amended by adding a NEW SECTION to read:

The legislative study established under section 1 of this Act shall study and evaluate:

- (1) Alternatives to imprisonment for any person charged and convicted of controlled substance offenses in order to more adequately assist the person with substance abuse issues;

- (2) Possible funding alternatives as well as the financial ramifications of controlled substance offenses on the state, the counties of the state, law enforcement, substance abuse treatment facilities, and any other interested person that may be affected.

Section 3. That chapter 2-6 be amended by adding a NEW SECTION to read:

The legislative study established under section 1 of this Act shall report to the Legislature and the Governor before the beginning of the Ninety-Fifth Legislative Session, including any draft legislation or policy recommendations.

Section 4. That chapter 2-6 be amended by adding a NEW SECTION to read:

The legislative study established under section 1 of this Act shall be under the supervision of the Executive Board of the Legislative Research Council and staffed and funded as an interim legislative committee.

Section 5. This Act is repealed on July 1, 2020.