

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

961V0595

HOUSE BILL NO. 1119

Introduced by: Representative Gosch and Senator Tieszen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to preliminary hearings
2 for persons charged with class 1 misdemeanors.

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

4 Section 1. That § 23A-6-3 be amended to read as follows:

5 23A-6-3. An information may be filed without a preliminary hearing against a fugitive from
6 justice. No other information may be filed against any person for any felony ~~or Class 1~~
7 ~~misdemeanor~~ until he that person has had a preliminary hearing, unless ~~he~~ that person waived
8 his or her right to a preliminary hearing. All informations shall be filed with the court having
9 jurisdiction of the offense by the prosecuting attorney prior to arraignment.

