

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

842W0200

SENATE BILL NO. 113

Introduced by: Senators Brown, Rave, and Sutton and Representatives Gosch and Wink

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the fiscal impact
2 statements prepared for legislation that impacts state prison or county jail populations.

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

4 Section 1. That § 2-1-19 be amended to read as follows:

5 2-1-19. A ~~fiscal impact statement~~ prison or jail population cost estimate shall be attached
6 to any bill ~~or~~ amendment, or ~~measures~~ measure proposed by ballot initiative that may impact
7 the state prison or county jail ~~populations~~ population. The requirement for a ~~fiscal impact~~
8 ~~statement~~ cost estimate includes ~~those bills or amendments that increase the periods~~ each bill
9 or amendment that increases the period of imprisonment authorized for ~~an existing crimes, that~~
10 ~~add new crimes~~ crime, that adds a new crime for which imprisonment is authorized, that ~~impose~~
11 imposes a minimum or mandatory minimum ~~terms~~ term of imprisonment, or that ~~modify~~
12 modifies any law governing release of ~~prisoners~~ a prisoner from imprisonment or supervision.

13 The sponsor of ~~such~~ the legislation, amendment, or ~~such~~ ballot initiative shall request and
14 allow sufficient time to prepare a ~~fiscal impact statement~~ cost estimate from the Bureau of
15 Finance and Management or the Legislative Research Council. The ~~fiscal impact statement~~ cost



1 ~~estimate shall be completed no later than the day the bill is submitted to the committee with~~
2 ~~subject matter cognizance~~ for a bill before the bill is considered by any standing committee of
3 the Legislature. Any ballot initiative shall have a ~~fiscal impact statement~~ cost estimate attached
4 to the Attorney General's statement required pursuant to § 12-13-9 or 12-13-25.1.

5 Section 2. That § 2-1-20 be amended to read as follows:

6 2-1-20. A ~~fiscal impact statement~~ cost estimate pursuant to § 2-1-19 shall include the
7 following:

- 8 (1) An analysis of the specific components of the bill or the ballot initiative that will
9 impact the prison and jail population;
- 10 (2) The projected cost of the impact of the bill on the state prison system and the
11 aggregate cost to county jails on an annual basis and cost of the bill over a ten year
12 period; and
- 13 (3) Operational costs and capital costs including all manner of construction.