

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

459X0258

SENATE BILL NO. 97

Introduced by: Senators Tieszen, Bradford, Brown, Ewing, Frerichs, Haverly, Hunhoff (Bernie), Novstrup (David), Olson, Otten (Ernie), Rusch, Shorma, Soholt, and Solano and Representatives Wollmann, Beal, Bolin, Deutsch, DiSanto, Dryden, Gibson, Gosch, Holmes, Jensen (Alex), Johns, Mickelson, Novstrup (Al), Otten (Herman), Partridge, Rasmussen, Rounds, Schoenbeck, Stevens, Westra, Willadsen, and Zikmund

1 FOR AN ACT ENTITLED, An Act to provide for the automatic removal of all Class 2
2 misdemeanor convictions from background check records after ten years under certain
3 conditions.

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

5 Section 1. That chapter 23A-3 be amended by adding a NEW SECTION to read:

6 Any conviction for a Class 2 misdemeanor shall be automatically removed from a
7 defendant's public record after ten years. However, the conviction record will remain available
8 to law enforcement agency searches.

