

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT
NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY 2016

HOUSE BILL NO. 1213

**AN ACT TO CREATE THE NEW FRONTIERS PROGRAM TO SUPPORT INNOVATIVE
RESEARCH BY SOUTH DAKOTA COMPANIES.**

A prison or jail impact statement has been requested on HB1213 due to the creation of the New Frontiers Program which will support innovative research by South Dakota companies. Section 3 explains the application requirements of the New Frontiers Program and states that the application shall be signed by the program owner under penalty of perjury.

The perjury violation is found in Chapter 22-29 of the Code with felony classification of perjury being either a Class 3 Felony, Class 5 Felony or Class 6 Felony depending on the manner committed. In order for a person to be charged with perjury, he or she generally must have 1) been sworn in or made a solemn legal promise to tell the truth; and 2) made a false statement or told a lie on purpose. The companion program to the New Frontiers Program is the Reinvestment Payment Program (§1-16G-56) which was enacted in 2013. The operative "penalty of perjury" provision for Reinvestment Payment is at §1-16G-58. Neither the Attorney General's Office nor the Governor's Office of Economic Development are aware of any prosecutions brought against any Reinvestment Payment Program applicant since the program began.

Due to the rare occurrence of perjury violations against economic development program applicants in South Dakota, it is the opinion of the LRC that this bill will have a negligible impact on the prison or jail population.

Approved: /S/ Jason Hancock
Director, Legislative Research Council

Date: 2/9/16