

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

457Z0866

HOUSE BILL NO. 1280

Introduced by: Representatives Barthel, Dennert, Lake, and Lust and Senator Rusch

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the calculation of
2 suspended prison sentences.

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

4 Section 1. That § 24-15A-6 be amended to read:

5 24-15A-6. The department shall establish the sentence discharge date for each inmate based
6 on the total sentence length, minus court ordered jail time credit. The total sentence length is
7 the sum of imprisonment time and any suspended time. In the case of an entirely suspended
8 penitentiary sentence under the supervision of the Department of Corrections and the Board of
9 Pardons and Paroles pursuant to §§ 22-6-11, 23A-27-18.4, and 23A-27-19, the total sentence
10 length is the term of imprisonment that has been suspended. Each inmate shall be under the
11 jurisdiction of the department, either incarcerated or under parole release or a combination, for
12 the entire term of the inmate's total sentence length unless the board grants an early final
13 discharge pursuant to § 24-15A-8, a partial early final discharge pursuant to § 24-15A-8.1, the
14 court modifies the sentence, the inmate receives earned discharge credits pursuant to § 24-15A-
15 50, the inmate receives a compliant discharge pursuant to § 16-22-29, or the sentence is



1 commuted.