

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

400A0302

HOUSE BILL NO. 1042

Introduced by: The Committee on Judiciary at the request of the Department of Corrections

1 FOR AN ACT ENTITLED, An Act to require parolees released under the supervision of the
2 Department of Corrections and the Board of Pardons and Paroles to pay supervision fees,
3 to provide for the establishment of supervision fees, and to provide for the deposition of the
4 fees.

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

6 Section 1. That § 24-15-11 be amended to read as follows:

7 24-15-11. The board may place reasonable restrictions upon a parolee which are designed
8 to continue ~~his~~ the parolee's rehabilitation. The board, upon granting parole, shall require the
9 implementation of a restitution plan, ~~where~~ and payment of supervision fees, if reasonably
10 possible. All restrictions shall be in writing and ~~shall be agreed to and~~ the agreement shall be
11 signed by the parolee.

12 Section 2. That § 24-15A-24 be amended to read as follows:

13 24-15A-24. The board and the department may place reasonable restrictions upon a parolee
14 which are designed to continue the parolee's rehabilitation. The board and the department shall
15 require the implementation of a restitution plan and payment of supervision fees, if reasonably

1 possible. All restrictions shall be in writing and shall be agreed to and signed by the parolee.

2 Section 3. That chapter 24-15 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 The Board of Pardons and Paroles and the Department of Corrections may allow inmates
5 required to pay supervision fees pursuant to § 24-15-11 or 24-15A-24 to substitute community
6 service work hours for supervision fees.

7 Section 4. That chapter 24-15 be amended by adding thereto a NEW SECTION to read as
8 follows:

9 There is established within the state treasury a fund into which shall be deposited parole
10 supervision fees collected pursuant to §§ 24-15-11 and 24-15A-24. Money may not be expended
11 from this fund prior to June 30, 1998.

12 Section 5. That § 24-2-29 be amended to read as follows:

13 24-2-29. An inmate is liable for court ordered fines and restitution and any obligation
14 incurred while under the jurisdiction of the Department of Corrections including those ~~outlined~~
15 provided for in §§ 24-2-28, 24-7-3, 24-8-9, ~~and~~ 24-11A-19, 24-15-11, and 24-15A-24, and any
16 other charge owed to the state. Disbursement shall be made from an inmate's institutional
17 account to defray the inmate's obligation, regardless of the source of the inmate's funds, including
18 moneys in the inmate's institutional account pursuant to § 24-2-5 and wages earned by the inmate
19 pursuant to §§ 24-4-9, 24-7-3(3), 24-7-6, 24-8-8, and 24-11A-20.

20 Section 6. That chapter 24-15 be amended by adding thereto a NEW SECTION to read as
21 follows:

22 The Department of Corrections may promulgate rules, pursuant to chapter 1-26, to establish
23 supervision fee rates to be imposed pursuant to §§ 24-15-11 and 24-15A-24.