

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

457A0633

HOUSE BILL NO. 1128

Introduced by: Representatives Fiegen, Brooks, Hunt, and Peterson (Bill) and Senators Everist, Munson (David), and Olson

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to truancy, to provide
2 for the imposition of a civil fine, and to permit the court to compel school attendance under
3 certain circumstances.

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

5 Section 1. That § 13-27-11 be amended to read as follows:

6 13-27-11. Any person having control of a child of compulsory school age who fails to ~~have~~
7 employ all due diligence to compel the child attend child's attendance in school as required by
8 the provisions of this title, is guilty of a Class 2 misdemeanor for the first offense. ~~For each~~ Any
9 subsequent offense, ~~a violator of this section is guilty of~~ a Class 1 misdemeanor.

10 Section 2. That chapter 13-27 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 For any violation of § 13-27-11, the court may also impose a civil fine, not to exceed two
13 hundred dollars. The court may reduce the civil fine by commuting all or part of it to community
14 service to be performed at the school of the truant child.

15 Section 3. That chapter 13-27 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 For any third or subsequent violation of § 13-27-11, the court may order the person having
3 control of the truant child or the truant child, or both, to do whatever the court deems necessary
4 to compel the child's attendance in school. The court may enforce such orders by means of its
5 contempt power.