

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

400A0807

HOUSE ENGROSSED NO. **HB1276** - 2/15/97

Introduced by: The Committee on State Affairs at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to restrict persons who have possessed, used, or distributed
2 controlled substances or marijuana from participation in certain extracurricular activities or
3 financial aid assistance.

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

5 Section 1. Any person adjudicated, convicted, or the subject of a suspended imposition of
6 sentence for possession, use, or distribution of controlled substances or marijuana as defined in
7 chapter 22-42 is ineligible to participate in any extracurricular activity at any secondary school
8 accredited by the Department of Education and Cultural Affairs for one year. Upon a subsequent
9 adjudication, conviction, or suspended imposition of sentence for possession, use, or distribution
10 of controlled substances or marijuana by a court of competent jurisdiction, that person is
11 ineligible to participate in any extracurricular activity while that person is attending any school
12 accredited by the Department of Education and Cultural Affairs. Upon such a determination in
13 any juvenile proceeding the Unified Judicial System shall give notice of that determination to the
14 South Dakota High School Activities Association and the chief administrator of the school in
15 which the person is enrolled.

16 Section 2. Any person adjudicated, convicted, or the subject of a suspended imposition of

1 sentence for felonious possession, use, or distribution of controlled substances or marijuana as
2 defined chapter 22-42 is ineligible for any scholarship for attendance at a postsecondary
3 institution to the extent such scholarship is funded by the State of South Dakota. Upon receiving
4 a request from the chief administrator of the postsecondary educational institution, the Unified
5 Judicial System shall send notice of whether the person who is the subject of the request was
6 adjudicated in a juvenile proceeding of feloniously possessing, using, or distributing controlled
7 substances or marijuana as defined in chapter 22-42.

8 Section 3. Any person who has been determined by a court of competent jurisdiction to have
9 feloniously possessed, used, or distributed controlled substances or marijuana as defined in
10 chapter 22-42 while enrolled at a South Dakota state supported institution of higher education
11 is ineligible to participate in any form of intercollegiate extracurricular competition at any South
12 Dakota state supported institution of higher education. Upon receiving a request from the chief
13 administrator of the postsecondary educational institution, the Unified Judicial System shall send
14 notice of whether the person who is the subject of the request was adjudicated in a juvenile
15 proceeding of feloniously possessing, using, or distributing controlled substances or marijuana
16 as defined in chapter 22-42

1 **BILL HISTORY**

2 2/4/97 First read in House and referred to State Affairs. H.J. 298

3 2/10/97 Scheduled for Committee hearing on this date.

4 2/10/97 State Affairs Do Pass Amended, AYES 9, NAYS 3. H.J. 377

5 2/12/97 Motion to Amend. H.J. 455

6 2/12/97 Deferred with pending amendment (Rule 5-17). H.J. 456

7 2/14/97 Motion to Amend, AYES 23, NAYS 43. H.J. 492

8 2/14/97 Motion to Amend. H.J. 493

9 2/14/97 Motion to Amend. H.J. 493

10 2/14/97 House of Representatives Do Pass Amended, AYES 45, NAYS 23. H.J. 493