

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

400A0807

## HOUSE BILL NO. 1276

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  
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 circuit court shall give notice of that determination to the South  
14 Dakota High School Activities Association and the chief administrator of the school in which the  
15 person is enrolled.

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

1 sentence for possession, use, or distribution of controlled substances or marijuana as defined  
2 chapter 22-42 is ineligible for any direct financial aid, grant, loan, or scholarship for attendance  
3 at a postsecondary institution to the extent such financial aid, grant, loan, or scholarship is  
4 funded by the State of South Dakota. Upon receiving a request from the chief administrator of  
5 the postsecondary educational institution, the Unified Judicial System shall send notice of  
6 whether the person who is the subject of the request was adjudicated in a juvenile proceeding  
7 of possessing controlled 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 possessed, used, or distributed controlled substances or marijuana as defined in chapter 22-42  
10 while enrolled at a South Dakota state supported institution of higher education is ineligible to  
11 participate in any form of intercollegiate extracurricular competition at any South Dakota state  
12 supported institution of higher education. Upon receiving a request from the chief administrator  
13 of the postsecondary educational institution, the Unified Judicial System shall send notice of  
14 whether the person who is the subject of the request was adjudicated in a juvenile proceeding  
15 of possessing controlled substances or marijuana as defined in chapter 22-42.