

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

445A0438

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED NO. **SB112** - 3/3/97

Introduced by: Senators Hutmacher and Hunhoff and Representative Moore

1 FOR AN ACT ENTITLED, An Act to revise the penalty for theft by an employee of certain
2 facilities.

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

4 Section 1. That § 22-30A-17 be amended to read as follows:

5 22-30A-17. Theft is grand theft, if:

6 (1) The value of the property stolen exceeds five hundred dollars;

7 (2) Repealed by SL 1990, ch 165, § 2.

8 (3) Property of any value is taken from the person of another; or

9 (4) In the case of theft by receiving stolen property, the receiver is a dealer in stolen
10 property, the value of the property stolen exceeds five hundred dollars in value.

11 Theft in all other cases is petty theft. Grand theft is a Class 4 felony. Petty theft is divided
12 into two degrees. Petty theft of one hundred dollars or more, or of property of any value less
13 than five hundred dollars belonging to a resident of a nursing facility, chemical dependency
14 facility, assisted living center, developmental center, human services center, or any residential
15 facility for the mentally ill, mentally retarded, or developmentally disabled, if the theft is

- 1 committed by an employee of the facility, is in the first degree and is a Class 1 misdemeanor.
- 2 Petty theft of less than one hundred dollars is in the second degree and is a Class 2 misdemeanor.

1 **BILL HISTORY**

2 1/23/97 First read in Senate and referred to Judiciary. S.J. 140

3 1/31/97 Scheduled for Committee hearing on this date.

4 1/31/97 Judiciary Deferred to another day. S.J. 274

5 2/3/97 Judiciary Do Pass Amended, Passed, AYES 6, NAYS 0. S.J. 295

6 2/5/97 Senate Do Pass Amended, Passed, AYES 24, NAYS 9. S.J. 329

7 2/6/97 First read in House and referred to Judiciary. H.J. 354

8 2/21/97 House of Representatives Re-referred to State Affairs. H.J. 629

9 2/28/97 Scheduled for Committee hearing on this date.

10 3/3/97 State Affairs Do Pass Amended, Passed, AYES 12, NAYS 0.

11 3/3/97 Scheduled for Committee hearing on this date.

12 3/3/97 State Affairs Do Pass Amended, Passed, AYES 12, NAYS 0.