

AN ACT

ENTITLED, An Act to revise the responsibilities of counties providing for prisoner care and the liability of prisoners for reimbursing the county for costs incurred.

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

Section 1. That § 24-11-21 be amended to read as follows:

24-11-21. The governing body or board of county commissioners shall provide all necessities for the comfort and welfare of the prisoners including room and board, bedclothing, and laundry and medical, dental, optometric, nursing, and psychiatric services.

If a prisoner or any person under arrest receives medical treatment pursuant to this section for which the governing board or board of county commissioners is liable, the receipt of such medical treatment shall, as to the person receiving such treatment, operate as an assignment by operation of law of any rights to medical support, insurance proceeds, or both, that the prisoner or person under arrest may have for such person. Any rights or amounts so assigned shall be applied against the cost of medical care paid under this section. Any payments made under this section for medical care not recovered shall constitute a lien pursuant to § 28-14-1.

Section 2. That § 24-11-45 be amended to read as follows:

24-11-45. A prisoner confined to any jail who is ultimately convicted of the crime for which confined is liable for the cost of the prisoner's pretrial and postconviction confinement including room and board charges and medical, dental, optometric, and psychiatric services charges. The judge who sentenced the prisoner to jail may after considering the prisoner's net income, net worth, number of dependents, and existing obligations waive all or part of the payment for the costs of the inmate's confinement. Any confinement costs not recovered or waived constitutes a lien pursuant to § 28-14-1.

An Act to revise the responsibilities of counties providing for prisoner care and the liability of prisoners for reimbursing the county for costs incurred.

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I certify that the attached Act originated in the

SENATE as Bill No. 155

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 155
File No. _____
Chapter No. _____

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Received at this Executive Office this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 19__

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State