

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

724A0464

SENATE BILL NO. 169

Introduced by: Senators Rounds, Dunn (Jim), and Everist and Representatives de Hueck and Fiegen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the funds available
2 from a defendant who has been assigned counsel.

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

4 Section 1. That § 23A-40-10 be amended to read as follows:

5 23A-40-10. If the court finds that funds are available for payment from or on behalf of a
6 defendant to carry out, in whole or in part, the provisions of this chapter, the court may order
7 that the funds be paid, as court costs or as a condition of probation, to the court for deposit with
8 the county or municipal treasurer, to be placed in the county or municipal general fund or in the
9 public defender fund in those counties establishing the office pursuant to subdivision (1) of
10 § 23A-40-7 as a reimbursement to the county or municipality to carry out the provisions of this
11 section. The court may also order payment to be made in the form of installments or wage
12 assignments, in amounts set by a judge of the circuit court or a magistrate judge, either during
13 the time a charge is pending or after the disposition of the charge. The reimbursement ~~shall be~~
14 is a credit against any lien created by the provisions of this chapter against the property of the
15 defendant.