

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

853B0378

SENATE BILL NO. 222

Introduced by: Senators Brown (Arnold), Brosz, Ham, Reedy, Shoener, and Vitter and
Representatives Diedrich, Belatti, Johnson (Doug), Monroe, Munson (Donald),
Pummel, and Smidt

1 FOR AN ACT ENTITLED, An Act to provide for the liability of certain prisoners confined to
2 jail for the costs of certain services and confinement and to provide a lien therefor.

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

4 Section 1. That chapter 24-11 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 In the calculation of any room and board charges for which a prisoner may be liable under
7 the provisions of this chapter, an amount of fifty dollars per day shall be used.

8 Section 2. That chapter 24-11 be amended by adding thereto a NEW SECTION to read as
9 follows:

10 Reimbursement for room and board charges, medical, dental, optometric, and psychiatric
11 service charges, vocational training, and chemical dependency treatment charges may be required
12 as a term or condition of probation or suspended sentence imposed pursuant to chapter 23A-27.

13 Section 3. That chapter 24-11 be amended by adding thereto a NEW SECTION to read as
14 follows:

15 Whenever any county pays for the costs of confinement of a prisoner in a detention facility,

1 the county shall have a lien pursuant to chapter 28-14, for the prisoner's room and board during
2 confinement, unless all or part of such costs or charges are waived pursuant to § 24-11-45, and
3 for all medical, dental, optometric, and psychiatric services charges, vocational education training
4 and chemical dependency treatment charges regarding such prisoner. Such lien is effective as
5 between the county and prisoner and other persons having actual knowledge of the prisoner's
6 confinement, immediately upon the providing of such room and board, care and maintenance to
7 or for the benefit of such prisoner.