

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

660B0081

SENATE JUDICIARY COMMITTEE

ENGROSSED NO. **SB75** - 2/2/98

Introduced by: Senators Drake, Kleven, and Vitter and Representatives Duenwald, Brown
(Jarvis), Kredit, and Matthews

1 FOR AN ACT ENTITLED, An Act to require that school officials be notified of certain student
2 alcohol violations.

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

4 Section 1. That § 26-11-5.1 be amended to read as follows:

5 26-11-5.1. Notwithstanding any other provision of law, a law enforcement agency may
6 provide notice, in writing, to public or nonpublic school officials and parent or guardian of any
7 incident occurring within the agency's jurisdiction in which the agency has probable cause to
8 believe a school student has violated any provision of state law involving alcohol or illegal drugs.
9 However, if there is a prolonged criminal investigation and revealing information would
10 jeopardize a successful conclusion to the case, the law enforcement agency may provide the
11 notice at some later appropriate time. ~~The notice shall be in writing.~~

12 Section 2. That chapter 26-11 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 If any law enforcement agency has probable cause to believe that a school student has
15 violated any provision of state law involving alcohol or illegal drugs, the law enforcement agency

- 1 shall notify, in writing, the public or private school at which the student is enrolled if the alleged
- 2 violation resulted in a court petition.

1 **BILL HISTORY**

2 1/17/98 First read in Senate and referred to Judiciary. S.J. 67

3 1/21/98 Scheduled for Committee hearing on this date.

4 1/21/98 Judiciary Do Pass, Passed, AYES 6, NAYS 0. S.J. 132

5 1/22/98 Senate Deferred to another day. S.J. 168

6 1/23/98 Motion to Amend,. S.J. 183

7 1/23/98 Referred to Judiciary. S.J. 183

8 1/30/98 Scheduled for Committee hearing on this date.

9 1/30/98 Judiciary Do Pass Amended, Passed, AYES 5, NAYS 1. S.J. 257