

AN ACT

ENTITLED, An Act to allow an inmate to waive a noncompliance hearing with the Board of Pardons and Paroles.

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

Section 1. That § 24-15A-39 be amended to read as follows:

24-15A-39. Any inmate whom the warden reports has not substantively complied with the individual program directive shall have a hearing with the board to determine the inmate's compliance with the individual program directive. However, if the inmate wishes to admit to noncompliance with the individual program directive and waive this hearing, the inmate shall appear before the board and state for the record the admission of noncompliance and waiver of right to a hearing.

The board may determine the inmate has substantively complied with the individual program directive and release the inmate at the inmate's initial parole date or as soon as reasonably possible following the initial parole date and hearing. The board may also determine the inmate has not substantively met the requirements of the individual program directive, deny release at the initial parole date and set the time for a subsequent discretionary parole hearing. Any inmate appeal of a finding of noncompliance by the board shall be filed pursuant to chapter 1-26 in the county in which the inmate is confined.

Any inmate not released at the time of the inmate's initial parole date shall have a discretionary parole hearing at least every two years.

An Act to allow an inmate to waive a noncompliance hearing with the Board of Pardons and Paroles.

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I certify that the attached Act originated in the

SENATE as Bill No. 18

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. 18
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