

AN ACT

ENTITLED, An Act to increase certain liquidated court costs for indigent defense.

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

Section 1. That § 23-3-52 be amended to read as follows:

23-3-52. In addition to any other penalty, assessment, or fine provided by law, there shall be levied liquidated costs in the amount of twenty-five dollars for partial reimbursement to state government and its subdivisions for law enforcement and judicial expenses incurred in providing the personnel, training, and facilities relative to the criminal justice system and to the 911 emergency reporting system, on each conviction for the following:

- (1) Violation of state statutes or regulations having criminal penalties; or
- (2) Violation of county or municipal ordinances.

If a fine is suspended in whole or in part, the liquidated costs for law enforcement and training may not be reduced, except that the judge may waive all or any part of the payment of liquidated costs which would work a hardship on the person convicted or on the person's immediate family.

Section 2. That § 23-3-53 be amended to read as follows:

23-3-53. After a determination by the court of the amount due, the clerk of courts shall collect the amount due and transmit such amount monthly to the state treasurer. The state treasurer shall place seventeen dollars of the twenty-five-dollar fee into the law enforcement officers training fund, six dollars of the twenty-five-dollar fee into the court appointed attorney and public defender payment fund, one dollar of the twenty-five-dollar fee into the 911 telecommunicator training fund, and one dollar of the twenty-five-dollar fee into the abused and neglected child defense fund.

An Act to increase certain liquidated court costs for indigent defense.

I certify that the attached Act originated in the

SENATE as Bill No. 140

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 140
File No. _____
Chapter No. _____

Received at this Executive Office this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____ , A.D., 20__

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State