

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

592D0538

SENATE BILL NO. 140

Introduced by: Senators Whiting and Moore and Representative Hunt

1 FOR AN ACT ENTITLED, An Act to increase certain liquidated court costs for indigent
2 defense.

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

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

5 23-3-52. In addition to any other penalty, assessment, or fine provided by law, there shall be
6 levied liquidated costs in the amount of ~~twenty-two~~ twenty-five dollars for partial reimbursement
7 to state government and its subdivisions for law enforcement and judicial expenses incurred in
8 providing the personnel, training, and facilities relative to the criminal justice system and to the
9 911 emergency reporting system, on each conviction for the following:

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

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

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

17 23-3-53. After a determination by the court of the amount due, the clerk of courts shall

1 collect the amount due and transmit such amount monthly to the state treasurer. The state
2 treasurer shall place seventeen dollars of the ~~twenty-two-dollar~~ twenty-five-dollar fee into the
3 law enforcement officers training fund, ~~three~~ six dollars of the ~~twenty-two-dollar~~ twenty-
4 five-dollar fee into the court appointed attorney and public defender payment fund, one dollar
5 of the ~~twenty-two-dollar~~ twenty-five-dollar fee into the 911 telecommunicator training fund, and
6 one dollar of the ~~twenty-two-dollar~~ twenty-five-dollar fee into the abused and neglected child
7 defense fund.