

AN ACT

ENTITLED, An Act to clarify the manner in which separate allegations of former convictions may be brought in certain cases involving driving under the influence.

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

Section 1. That § 32-23-4.2 be amended to read as follows:

32-23-4.2. In any criminal case brought pursuant to the provisions of § 32-23-3, 32-23-4, or 32-23-4.6, whether brought by information or indictment, a separate supporting information shall allege, in addition to the principal offense charged, a former conviction or convictions. If the information is in two separate parts, each shall be signed by the prosecutor. In the first part the particular offense with which the accused is charged shall be set out, and in the other part the former conviction or convictions shall be alleged. Except as provided in § 32-23-3, the court may not permit an accused with any prior conviction to drive for the purpose of employment even if the prosecutor dismisses the second part of the information.

An Act to clarify the manner in which separate allegations of former convictions may be brought in certain cases involving driving under the influence.

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I certify that the attached Act originated in the

SENATE as Bill No. 142

\_\_\_\_\_  
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. 142  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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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