

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

655I0052

SENATE BILL NO. 8

Introduced by: Senators Moore, de Hueck, Ham, Kleven, Koskan, and Nachtigal and Representatives Hennies, Konold, Madsen, Murschel, Van Gerpen, and Wick at the request of the Interim Juvenile Offenses and Sentencing Committee

1 FOR AN ACT ENTITLED, An Act to reconstitute the Juvenile Justice and Delinquency Act
2 Advisory Group and to revise its authority and responsibilities.

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

4 Section 1. That § 1-15-28 be amended to read as follows:

5 1-15-28. The Department of Corrections shall be responsible, through the ~~state advisory~~
6 ~~group~~ Council of Juvenile Services established in § 1-15-29, for supervising the preparation and
7 administration of the state's plan required by Section 223(a) for participation in the formula
8 grants program of the Act. The Department of Corrections shall be responsible for providing
9 staff and support services to the ~~state advisory group~~ Council of Juvenile Services and
10 implementing the plan in a manner which will ensure compliance with Sections 223(a)(12), (13),
11 and (14) of the Act. The department shall seek necessary authority and take all necessary action
12 as provided by law to enforce compliance with the Act.

13 Section 2. That § 1-15-29 be amended to read as follows:

14 1-15-29. There is hereby established a twenty-member ~~state advisory group~~ Council of
15 Juvenile Services to be appointed by the Governor and shall be comprised of individuals who



1 have training, experience, or special knowledge of juvenile delinquency prevention or treatment
2 or of the administration of juvenile justice. The membership of the ~~advisory group~~ Council of
3 Juvenile Services shall comply with Section 223(a)(3) of the Juvenile Justice and Delinquency
4 Act. The initial members to be appointed shall draw lots to determine who will hold the eight
5 three-year terms, the six two-year terms, and the six one-year terms. Thereafter, each member
6 shall serve ~~terms~~ a term of three years. Members may be reappointed and may continue to serve
7 an expired term until replaced by the Governor. A chairperson, ~~who may not be a full-time~~
8 ~~federal, state, or local employee,~~ for the ~~advisory group~~ Council of Juvenile Services shall be
9 chosen annually by a majority vote of its members at the first meeting each fiscal year.

10 Section 3. That § 1-15-30 be amended to read as follows:

11 1-15-30. The ~~state advisory group~~ Council of Juvenile Services shall be responsible for the
12 following:

- 13 (1) In conjunction with the secretary of the Department of Corrections, establish policy
14 on how the formula grants program of the Juvenile Justice and Delinquency Act is to
15 be administered in South Dakota;
- 16 (2) Approve the state plan, and any modifications thereto, required by 223(a) of the Act
17 prior to submission to the Office of Juvenile Justice and Delinquency Prevention;
- 18 (3) Submit annual recommendations to the Governor and Legislature concerning the
19 functions of the ~~advisory group~~ Council of Juvenile Services and the status of the
20 state's compliance with the Act;
- 21 (4) Approve or disapprove grant applications and other funding requests submitted to the
22 Department of Corrections under §§ 1-15-27 to 1-15-31, inclusive, and assist with
23 monitoring grants and other fund awards;
- 24 (5) Assist the Department of Corrections in monitoring the state's compliance with the

- 1 Act;
- 2 (6) Monitor and assist the coordination of the various juvenile intervention, prevention,
- 3 treatment, and rehabilitation programs to ensure that each juvenile receives all
- 4 appropriate services attendant to each juveniles indicated needs regardless of the
- 5 sources of providing such services;
- 6 (7) Provide for a continuing study of effective juvenile sentencing, adjudication, and
- 7 diversion policies and provisions;
- 8 (8) Make a special study of, and make an annual report to the Governor and Legislature
- 9 by June thirtieth of each year concerning, the appropriate administration of and
- 10 provision for children in need of supervision in this state;
- 11 (9) Contact and seek regular input from juveniles currently under the jurisdiction of the
- 12 juvenile justice system; and
- 13 ~~(7)~~(10) Perform other such activities as determined by the secretary of the Department
- 14 of Corrections.