

AN ACT

ENTITLED, An Act to permit the Law Enforcement Officers Standards Commission to refuse certain applications based on juvenile adjudications and dispositions and to provide for access to certain juvenile adjudications and dispositions by the commission.

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

Section 1. That § 23-3-42 be amended to read as follows:

23-3-42. In addition to the requirements of § 23-3-41, the commission, by rules promulgated pursuant to chapter 1-26, shall fix other qualifications for the employment and training of appointed law enforcement officers, including minimum age, education, physical and mental standards, citizenship, good moral character, experience, and such other matters as relate to the competence and reliability of persons to assume and discharge the various responsibilities of law enforcement officers. The commission shall also prescribe the means for presenting evidence of fulfillment of these requirements. Notwithstanding §§ 23A-27-14 and 23A-27-17, any person seeking certification as a law enforcement officer who has received an order pursuant to § 23A-27-13 may have his or her application refused. Notwithstanding §§ 26-7A-105 and 26-7A-106, any person seeking certification as a law enforcement officer who has received an adjudication or disposition pursuant to chapter 26-7A or 26-8C may have his or her application refused if the adjudication or disposition was for a crime which, if committed by an adult, would constitute a crime under chapter 22-42 that is punishable as a felony, a sex crime as defined in § 22-22-30, or a crime of violence as defined in subdivision 22-1-2(9).

Section 2. The Unified Judicial System shall provide such access about any adjudication or disposition pursuant to chapter 26-7A or 26-8C to the Law Enforcement Officers Standards Commission as may be necessary to effectuate the purposes of section 1 of this Act.

An Act to permit the Law Enforcement Officers Standards Commission to refuse certain applications based on juvenile adjudications and dispositions and to provide for access to certain juvenile adjudications and dispositions by the commission.

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I certify that the attached Act originated in the

SENATE as Bill No. 95

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. 95
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