

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

637M0663

## HOUSE BILL NO. 1208

Introduced by: Representatives Valandra, Bradford, and Van Norman and Senator Two Bulls

1 FOR AN ACT ENTITLED, An Act to require that certain persons convicted of drug and alcohol  
2 felonies be incarcerated in the county jail.

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

4 Section 1. Notwithstanding any other provision of law, whenever the state's attorney of any  
5 county prosecutes any person of a crime involving the possession or distribution of any  
6 controlled substance or of a crime of driving while under the influence, unless the crime of  
7 which the person is charged is a Class 4 felony or higher, the person so convicted shall be  
8 incarcerated in the county jail of the county in which the crime was committed. If the county is  
9 unable or unwilling to incarcerate such person in the county jail, the county shall reimburse such  
10 other jail or penal institution where the person is incarcerated and serves the sentence for all  
11 expenses of incarceration, including all expenses collateral to incarceration.

