

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

835N0734

HOUSE BILL NO. 1253

Introduced by: Representatives Gillespie, Deadrick, Dykstra, Hargens, and Rhoden and
Senators Albers, Gray, Heidepriem, and Knudson

1 FOR AN ACT ENTITLED, An Act to provide for the establishment of a task force to study the
2 enforcement and collection of financial obligations resulting from criminal proceedings and
3 to declare an emergency.

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

5 Section 1. There is hereby established the task force to review the adequacy and ability to
6 enforce the collection of financial obligations as a result of a criminal judgment and sentence.
7 The task force shall consist of fifteen members. Nine members shall be appointed by the Chief
8 Justice of the Supreme Court, one of whom shall be a state's attorney and one of whom shall be
9 a criminal defense attorney. The Executive Board of the Legislative Research Council shall
10 appoint six members, four of whom shall be legislators. Not all members appointed by each of
11 the appointive powers may belong to the same political party. If there is a vacancy on the task
12 force, the vacancy shall be filled in the same manner as the original appointment.

13 Section 2. The task force shall be under the supervision of the Executive Board of the
14 Legislative Research Council and staffed and funded as an interim legislative committee. The
15 Executive Board shall appoint the chair and the vice chair in consultation with the Chief Justice



1 of the Supreme Court.

2 Section 3. The task force shall gather the data and information regarding the enforcement
3 and collection of financial obligations as a result of a criminal judgment and sentence, including
4 but not limited to reimbursement of court appointed attorneys' fees, and payment of fines, costs
5 and restitution. The task force shall make recommendations to assist local entities and to
6 determine whether a statewide solution is economical or necessary. The task force shall submit
7 its final report to the Governor and the Legislature no later than December 1, 2007.

8 Section 4. Whereas, this Act is necessary for the support of the state government and its
9 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
10 full force and effect from and after its passage and approval.