

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

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SENATE STATE AFFAIRS ENGROSSED NO. **SB 50** - 01/20/2016

Introduced by: The Committee on Appropriations at the request of the Bureau of Finance and
Management

1 FOR AN ACT ENTITLED, An Act to revise the allocation of certain fees collected by the
2 Department of Corrections.

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

4 Section 1. That § 24-8-11 be amended to read:

5 24-8-11. The secretary of corrections shall determine the amount to be paid for board and
6 room by each work release inmate. If special circumstances warrant or for a just and reasonable
7 cause, the secretary of corrections may waive the payment of board and room charges.

8 All the board and room charges paid to the Department of Corrections for confinement shall
9 be ~~placed~~ deposited in a fund within the Department of Corrections the general fund.

10 Section 2. That § 24-7-9 be amended to read:

11 24-7-9. ~~If the secretary of corrections and the Governor determine that the balance in the~~
12 ~~prison industries revolving fund is greater than the needs of the prison industries, they may~~
13 ~~jointly authorize transfer of the unneeded balance to the general fund of the state. At the end of~~
14 the fiscal year the state treasurer shall transfer any cash balance in excess of five hundred



1 thousand dollars from the prison industries revolving fund to the general fund.

2 Section 3. That § 1-15-13 be amended to read:

3 1-15-13. The Department of Corrections may, subject to chapter 4-8B, accept and control
4 on behalf of the institutions of this state under ~~its~~ the department's supervision:

5 (1) Any federal funds, grants-in-aid, subventions, or other financial aids that may be
6 made available to such institutions for grants, program expansion, establishing
7 institutes or instructional centers, or any other program made available to ~~them~~ the
8 institutions;

9 (2) Any federal funds which may become available for equipment, personnel or
10 administrative salaries, educational services, buildings, building repairs and
11 additions, or any other institutional program, improvement, or expansion.

12 The state treasurer shall receive such sums as may be allotted to the ~~Department of~~
13 ~~Corrections~~ department for institutions under ~~its~~ the department's jurisdiction, for any purpose,
14 from the United States government. Such donations and allotments shall be placed in a special
15 fund available to the institution designated.

16 The state auditor shall draw warrants ~~upon the~~ from the special fund ~~herein provided for~~
17 upon presentation of vouchers ~~duly~~ approved by the secretary of corrections. Notwithstanding
18 any other provision of this section, any federal funds received for the reimbursement of services
19 provided by the department shall be deposited in the general fund.

20 Section 4. That § 1-15-10.2 be amended to read:

21 1-15-10.2. The expenses for such support, maintenance, care, and treatment as agreed upon
22 may not be less than an amount required to compensate the State of South Dakota for the total
23 cost thereof to the state. ~~Such~~ The compensation ~~when~~ received pursuant to this section shall
24 be deposited ~~with the state treasurer and credited to~~ in the funds of the institution affected, as

- 1 ~~directed by the secretary of corrections and shall be expended for the same purposes and in the~~
- 2 ~~same manner as other funds credited to such institution are expended~~ general fund.