

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT
NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY 2017

SENATE BILL NO. 27

**AN ACT TO PROHIBIT CERTAIN DIRECT CONFLICTS OF INTEREST BY PUBLIC
OFFICIALS AND TO PROVIDE A PENALTY THEREFOR.**

A prison/jail population cost estimate statement has been requested on SB27 due to the creation of a new crime of a direct criminal conflict of interest for public officials. Any public official who commits a direct criminal conflict of interest would be punished under the current theft laws.

SB 27 would allow for any public official who engages in self-dealing to be punished with a felony under under SDCL chapter 22-30A. The level of the offense will depend on the value of the funds or property misappropriated; however anything over one thousand dollars in value would be punishable by a felony charge. Current law punishes public officials that engage in self-dealing with a Class 1 misdemeanor, under SDCL 5-18A-17.4. In the last six years there have been no charges or convictions under SDCL 5-18A-17.4. For that reason it is the opinion of the Legislative Research Council that the impact of SB 27 will be negligible.

Approved: /s/ Jason Hancock Date: 1/17/2017

Director, Legislative Research Council