

2015 Legislative Session

DOC Bills

[SB 29](#) An Act to create auxiliary members of the Board of Pardons and Paroles.

Bill creates a new section to South Dakota Codified Law (SDCL) 24-13 to allow members of the Board of Pardons and Paroles to serve as auxiliary members of the Parole Board for a period of four years following the conclusion of their regular term on the Board. Auxiliary members would not have to be confirmed by the Senate, but would have the same statutory powers and privileges as other Board members with some exceptions (no more than one could serve on a single hearing panel and no auxiliary members could serve as a hearing officer or Board chairperson).

1/23 Senate passed 33-0

2/26 House passed 65-1

3/10 Signed by Governor

Juvenile Justice Reinvestment Initiative

[SB 73](#) An Act to improve public safety regarding juvenile justice.

Bill is the product of the Juvenile Justice Reinvestment Initiative work group; requires focusing placements on youth who pose a public safety risk and preventing deeper involvement in criminal justice system for youth with lower-level offenses and improving outcomes by expanding access to evidence-based interventions in the community. The bill expands the use of diversion for non-violent misdemeanants and children in need of supervision with no prior adjudications; creates a citation process to address certain low-level violations; increases access to evidence-based treatment across the state; evaluates strategies to improve outcomes for Native American youth; creates a presumption of probation while allowing for commitment procedures for those that pose a risk of harm to others; establishes community response teams as resources for judges to help identify community-based alternatives to DOC placement; requires DOC to design and operate programs to achieve release to aftercare within three months; establishes an oversight council to monitor and evaluate the implementation of the reforms; and provides funding to counties if detention bed days increase.

1/26 Senate passed 35-0

3/10 House passed 60-7

3/12 Signed by Governor

SD Public Safety Improvement Act Oversight Council Bill

[SB 108](#) An Act to revise certain provisions relating to aggravated DUI's.

Bill is the result of the SDPSIA Oversight Council; seeks to revise the look-back period for aggravated DUI convictions. The bill clarifies that a sixth or subsequent offense for DUI with at least five of those convictions occurring within twenty-five years of the current charge and at least two of the prior convictions occurring within ten years, the offense is considered an aggravated offense, which is a Class 4 felony punishable by up to ten years in prison.

2/9 Senate passed 32-1

3/5 House passed 69-0

3/12 Signed by Governor

Sex Offender Bills

SB 13 An Act to require certain persons convicted for human trafficking to register as sex offenders.

Attorney General's Office bill adds first degree human trafficking (if victim is a minor) and second degree human trafficking (if the crime involves prostitution of a minor) offenses to list of sex crimes in SDCL 22-24B-1 that require offenders to be listed on the sex offender registry.

1/26 Senate passed 33-0

3/9 House passed 69-0

3/13 Signed by Governor

HB 1073 An Act to require a sex offender to report a change in vehicle status to law enforcement.

Bill amends SDCL 22-24B-2 regarding requirements of someone who must register as a sex offender to include any change in registration status of a vehicle owned by the offender. This would have to be done within three business days to law enforcement.

2/4 House amended; passed as amended 68-1

3/3 Senate passed 34-0

3/11 Signed by Governor

HB 1142 An Act to revise certain provisions pertaining to the age requirement for sex offender registry registration.

Bill revises provisions for a juvenile age 14 or older who is adjudicated of rape to register as a sex offender; bill adds language to SDCL 22-24B2 clarifying that the juvenile would have to be 14 or older at the time of the offense.

2/10 House passed 67-0

3/4 Senate passed 32-0

3/12 Signed by Governor

Other Bills

SB 70 An Act to require that the mandatory reporter who witnessed the disclosure or evidence of child abuse or neglect be available to answer questions when the initial report is made.

Bill comes from the Jolene's Law Task Force and amends SDCL 26-8A-8 to require that a mandatory reporter of child abuse who witnessed abuse/neglect be present and available to answer questions when the initial report is made. All DOC staff and those authorized to work in a DOC facility are considered to be safety sensitive positions and thus mandatory reporters of abuse and neglect.

2/3 Senate passed 33-0

3/9 House passed 69-0

3/13 Signed by Governor

Budget Bill

HB 1208 An Act to appropriate money for the ordinary expenses of the legislative, judicial, and executive departments of the state, the expenses of state institutions, interest on the public debt and for common schools. The DOC portion of the state budget is more than \$115 million. The final budget also allocates 869.2 full-time equivalents to the department.

This is the general budget bill for FY 2016.

3/13 House passed as amended 55-9; Senate passed as amended 30-2

3/19 Signed by Governor