



2020 South Dakota Legislature

House Bill 1089

Introduced by: The Committee on Judiciary at the request of the Chief Justice

1 **An Act to provide for the discharge of certain persons who received a suspended**
 2 **imposition of sentence for a misdemeanor.**

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

4 **Section 1.** That § 23A-27-14 be AMENDED:

5 **23A-27-14. Discharge and dismissal of probationer on completion of**
 6 **conditions--No judgment entered--Limitation.**

7 Upon completion of the observance of all conditions imposed pursuant to § 23A-
 8 27-12.2 or 23A-27-13, the court services officer assigned to the defendant's case or the
 9 defendant shall bring the matter to the attention of the court, whereupon the defendant
 10 shall be discharged by the court. A formal entry of ~~such~~ the discharge shall be entered by
 11 the clerk of courts. Discharge and dismissal under this section shall be without court
 12 adjudication of guilt and shall not be deemed a conviction for purposes of disqualifications
 13 or disabilities imposed by law upon conviction of a crime. Discharge and dismissal under
 14 this section may occur only once with respect to any person for a suspended imposition
 15 of sentence under § 23A-27-13 and only once with respect to any person for a suspended
 16 imposition of sentence under § 23A-27-12.2.