

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

283Z0861

HOUSE JUDICIARY ENGROSSED NO. **HB 1281** - 2/21/2018

Introduced by: Representative Stevens and Senator Rusch

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding persons on probation
2 and to declare an emergency.

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

4 Section 1. That chapter 23A-27 be amended by adding a NEW SECTION to read:

5 If a defendant is serving a probationary sentence under the supervision of the Unified
6 Judicial System and the same or any other sentencing court imposes a sentence on the defendant
7 requiring supervision by the executive branch, other than as provided under § 23A-27-18.1 or
8 23A-27-18.2, the probationary supervision by the Unified Judicial System is immediately
9 terminated. The court that previously imposed the probationary sentence retains jurisdiction
10 over the defendant to impose a sentence to the Department of Corrections, or any other lawful
11 sentence.

12 Section 2. Whereas, this Act is necessary for the immediate preservation of the public peace,
13 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and
14 effect from and after its passage and approval.

