

AN ACT

ENTITLED, An Act to provide that, upon completion of certain proceedings, magistrate judges may return or dispose of property taken in as evidence.

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

Section 1. That § 23A-37-8 be amended to read as follows:

23A-37-8. The court shall release all property to its rightful owner, if:

- (1) The owner is not prohibited by law from possessing such property;
- (2) The property is not needed as evidence in any judicial proceeding;
- (3) Satisfactory arrangements have been made to return such property to the court if subsequently needed as evidence.

Upon completion of the proceeding, the circuit court or magistrate judge shall make arrangements for the return or disposition of all property used as evidence.

An Act to provide that, upon completion of certain proceedings, magistrate judges may return or dispose of property taken in as evidence.

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I certify that the attached Act originated in the

SENATE as Bill No. 102

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 102
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State