

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

400S0167

## SENATE BILL NO. 46

Introduced by: The Committee on Commerce at the request of the Department of Revenue  
and Regulation

1 FOR AN ACT ENTITLED, An Act to provide that the state treasurer shall receive certain cost  
2 penalties in certain alcoholic beverage cases.

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

4 Section 1. That § 35-10-8 be amended to read as follows:

5 35-10-8. Any cost penalty provided for by this title shall be included in the judgment of  
6 conviction and has all the force and effect of a judgment in a civil action. If the person against  
7 whom the cost penalty is assessed has furnished a bond as a licensee under this title, the surety  
8 is liable for the cost penalty. The cost penalty may be paid by the defendant to the clerk of the  
9 court that rendered the judgment in which the cost penalty was assessed. The payment shall  
10 operate as a satisfaction of the portion of the judgment relating to the cost penalty and shall be  
11 entered upon the judgment record accordingly. If not paid to the clerk, the judgment for the cost  
12 penalty shall be enforced by execution or other process, the same as any civil judgment. The  
13 clerk or any officer collecting the cost penalty shall, without delay, transmit the cost penalty to  
14 the ~~secretary~~ state treasurer with a statement giving full information as to the source of the cost  
15 penalty. The ~~secretary~~ state treasurer shall issue a receipt for the cost penalty to the person



1 transmitting the cost penalty.