



## 2021 South Dakota Legislature

# Senate Bill 163

Introduced by: **Senator Foster**

1 **An Act to revise the eligibility requirements for compassionate parole under certain**  
 2 **circumstances.**

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

4 **Section 1.** That § 24-15A-55 be AMENDED.

5 **24-15A-55. Eligibility for compassionate parole.**

6 Notwithstanding any contrary provision in chapter 24-13, 24-15, or 24-15A, an  
 7 inmate who:

- 8 (1) Has a terminal illness;
- 9 (2) Is seriously ill and not likely to recover;
- 10 (3) Requires extensive medical care or significant chronic medical care;
- 11 (4) Is at least sixty-five years of age, has served at least ten consecutive years of the  
 12 inmate's sentence incarcerated, whose current sentences are for convictions of a  
 13 Class 3 felony or ~~below~~lower and whose medical care needs are at least double the  
 14 average annual medical cost of the inmate population; or
- 15 (5) Is at least seventy years of age and has served at least thirty consecutive years of  
 16 the inmate's sentence incarcerated; and
- 17 (6) Is not serving a capital punishment sentence;  
 18 is eligible for compassionate parole consideration.

19 During a global pandemic as declared by the World Health Organization, eligibility  
 20 for compassionate parole consideration is extended to all inmates whose current sentences  
 21 are for convictions of a Class 3 felony or lower for crimes that are not violent as provided  
 22 in § 24-15A-32.