

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

590V0464

SENATE BILL NO. 85

Introduced by: Senators Tieszen, Brown, Frerichs, Holien, Kirkeby, Krebs, Lederman, Novstrup (Al), and Rave and Representatives Latterell, Bolin, Feinstein, Greenfield, Hajek, Hawley, Hoffman, Hunhoff (Bernie), Kaiser, Lust, Nelson, Otten (Herman), Solum, and Stalzer

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding confidential criminal
2 justice information.

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

4 Section 1. That § 23-5-11 be amended to read as follows:

5 23-5-11. Confidential criminal justice information and criminal history information are
6 specifically exempt from disclosure pursuant to §§ 1-27-1 to 1-27-1.15, inclusive, and may be
7 withheld by the lawful custodian of the records. Information about calls for service revealing
8 the date, time, and general location and general subject matter of the call is not confidential
9 criminal justice information and ~~may~~ shall be released to the public, ~~at the discretion of the~~
10 ~~executive of the law enforcement agency involved~~, unless the information contains criminal
11 intelligence or identity information that would jeopardize an ongoing investigation. The
12 provisions of this section do not supersede more specific provisions regarding public access or
13 confidentiality elsewhere in state or federal law.

