

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

841W0355

SENATE BILL NO. 98

Introduced by: Senator Tieszen and Representatives Sly, Gosch, and Soli

1 FOR AN ACT ENTITLED, An Act to revise the provisions related to the financial
2 accountability system.

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

4 Section 1. That § 23A-47-2 be amended to read as follows:

5 23A-47-2. A parolee, inmate, or probationer, who is discharged from supervision ~~or has~~
6 ~~otherwise satisfied all of the conditions of the sentence~~ but has outstanding, court-ordered
7 financial obligations, shall be managed by the administrative financial accountability system,
8 as administered pursuant to § 23A-47-3, in order to satisfy all court-ordered financial
9 obligations.

10 Section 2. That § 23A-47-3 be amended to read as follows:

11 23A-47-3. The administrative financial accountability system shall be administered by the
12 Unified Judicial System pursuant to § 23A-28-3 and shall monitor and track payments ~~and~~
13 ~~sanctions~~ within the system.

14 Section 3. That § 23A-47-4 be amended to read as follows:

15 23A-47-4. The Supreme Court shall promulgate rules for the collection of outstanding court-



1 ordered financial obligations through the administrative financial accountability system. The
2 rules shall include a graduated ~~sanctioning grid policy~~ responses to noncompliance and a policy
3 for the termination or adjustment of the financial obligations.

4 Section 4. That § 23A-47-6 be amended to read as follows:

5 23A-47-6. Failure of any individual in this system to comply with the plan of restitution or
6 plan for financial obligations as approved or modified by the court constitutes a violation of the
7 conditions of ~~probation~~ within this system. Without limitation, the court may modify the plan
8 of restitution or financial obligation, extend the period of time for restitution or financial
9 obligation, or continue the individual in the administrative financial accountability system. If
10 the individual fails to make payment as ordered by the court, the individual may be held in
11 contempt of the court's order.

12 Section 5. That § 23A-47-7 be amended to read as follows:

13 23A-47-7. The original sentencing court shall be the court of competent jurisdiction
14 pursuant to § 23A-47-6 for contempt or review hearings, if necessary, as part of the ~~sanctioning~~
15 ~~grid~~ financial accountability collections system.