

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

268P0252

## HOUSE BILL NO. 1173

Introduced by: Representatives Gosch, Juhnke, Kirkeby, Lust, Olson (Betty), Olson (Ryan), Rhoden, and Turbiville and Senators Hansen (Tom), Abdallah, Gray, and McCracken

1 FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to the effect of  
2 suspended impositions of sentence on parole eligibility of certain offenders.

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

4 Section 1. That § 24-15A-16 be amended to read as follows:

5 24-15A-16. The determination of whether a prior offense is a felony for the purposes of this  
6 chapter shall be determined by whether it is a felony under the laws of this state, any other state,  
7 or the United States at the time of conviction of the offense. Any felony conviction in this state,  
8 any other state, or the United States shall be considered to determine an initial parole date under  
9 §§ 24-15-4 and 24-15A-32. For the sole purpose of consideration of parole eligibility pursuant  
10 to this section, the fact of suspension of imposition of sentence for commission of an offense  
11 constituting a felony under the laws of this state, any other state, or the United States at the time  
12 of the suspension of imposition shall be considered a prior felony conviction.

