

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

844Q0682

HOUSE BILL NO. 1277

Introduced by: Representatives Rounds, Kirkeby, and Russell and Senators Adelstein, Rhoden, and Tieszen

1 FOR AN ACT ENTITLED, An Act to permit municipalities and counties to assess surcharges
2 against intoxicated persons responsible for certain expenditures of local resources.

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

4 Section 1. Any municipality may, by ordinance, assess, upon a conviction, a uniform
5 surcharge, not to exceed two hundred fifty dollars, whenever municipal law enforcement
6 responds to an incident the proximate cause of which is the alcoholic intoxication of one or
7 more persons. Each such intoxicated person, who has been convicted, may be assessed the
8 surcharge individually. Proceeds from the surcharge shall be deposited in the municipal general
9 fund to defray the costs of the municipality.

10 Section 2. Any county may, by ordinance, assess, upon a conviction, a uniform surcharge,
11 not to exceed two hundred fifty dollars, whenever county law enforcement responds to an
12 incident the proximate cause of which is the alcoholic intoxication of one or more persons. Each
13 such intoxicated person, who has been convicted, may be assessed the surcharge individually.
14 Proceeds from the surcharge shall be deposited in the county general fund to defray the costs
15 of the county.

