

**PRISON/JAIL POPULATION COST ESTIMATE STATEMENT**  
NINETY-SECOND SESSION  
LEGISLATIVE ASSEMBLY 2017

**SENATE BILL NO. 81**

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AN ACT TO PROHIBIT THE MANUFACTURE, SALE, OR POSSESSION OF ALCOHOL IN  
A POWDERED, CONDENSED, OR OTHER CONCENTRATED FORM UNDER MOST  
CIRCUMSTANCES.

A prison/jail population cost estimate statement has been requested on SB81 due to the creation of a Class 1 misdemeanor for manufacturing, selling, or possessing powdered alcohol.

South Dakota does not currently have a prohibition on possessing certain forms of alcohol. The regulation of powdered alcohol is relatively new, with many states prohibiting powdered alcohol in the last few years. Of the surrounding states, Nebraska and North Dakota both enacted prohibitions on powdered alcohol in 2015. There have been no charges or convictions under the Nebraska statute since enactment. There were no conviction statistics available from North Dakota.

This Act describes a crime that if prosecuted could result in a jail sentence. However, based on a comparison of the surrounding states a violation and prosecution is likely to be rare. Therefore the impact of SB81 is estimated to be low.

Approved: /S/ Jason Hancock  
Director, Legislative Research Council

Date: 1/26/17