

State of South Dakota

EIGHTIETH LEGISLATIVE ASSEMBLY, 2005

337L0126

HOUSE BILL NO. _____

Introduced by: _____

1 FOR AN ACT ENTITLED, An Act to ALTERNATIVE SECTION 6 (HENNIES)
2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
3 Section 6. That § 32-23-2.1 be amended to read as follows:
4 32-23-2.1. Any person convicted of a first offense pursuant to ~~§ 32-23-2 with a 0.17 percent~~
5 ~~or more by weight of alcohol in his blood~~ § 32-23-1 shall, in addition to the penalties provided
6 in § 32-23-2, be required to undergo a court-ordered evaluation by a chemical dependency
7 counselor as defined in § 34-20A-2 or a licensed or certified health care professional with
8 specialized training in chemical dependency evaluation to determine if the defendant has an
9 addiction to alcohol or any other substance. The cost of such evaluation shall be paid by the
10 defendant. The counselor or other health care professional conducting the evaluation shall
11 submit the results of the evaluation to the sentencing judge.

