

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT

Initiated Measure

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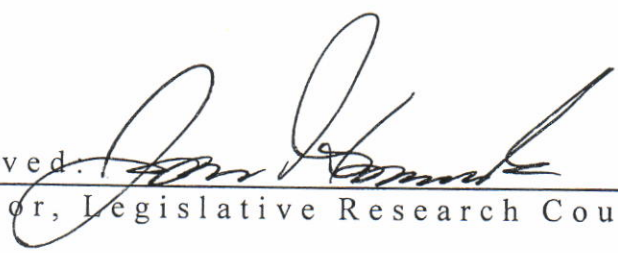
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S.D. SEC. OF STATE

AN INITIATED MEASURE TO CRIMINALIZE THE TRANSFER OF TOBACCO OR TOBACCO PARAPHERNALIA.

A prison/jail population cost estimate statement has been requested due to the penalties in this initiated measure.

To determine the prison impact of this measure, the Legislative Research Council (LRC) researched and analyzed statistics regarding tobacco use, marijuana use, conviction rates for distribution of marijuana, and average prison sentences. The LRC also considered factors such as geographic availability of tobacco, legal means to obtain tobacco, enforceability, and the nature of the crime itself. It did not consider state revenue, tax loss, impact on businesses, society and health, or other law enforcement expenses. It simply estimated the impact on jails and prisons in the state as required by law. The conclusion reached was an estimated worst-case impact of approximately 263 new convictions a year, with 161 of those serving time in jail or prison, at an estimated cost of \$1,840,181 and \$18,401,810 over a 10 year period.

Approved:  Date: 7/1/15
Director, Legislative Research Council