



2020 South Dakota Legislature
House Bill 1011
ENROLLED

AN ACT

ENTITLED An Act to require certain examinations of persons awaiting involuntary commitment hearings.

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

Section 1. That § 27A-10-6 be AMENDED:

27A-10-6. Examination of person detained--Report to chair--Expenses of examination.

Within twenty-four hours after the apprehension of any person who allegedly requires emergency intervention under § 27A-10-2 or 27A-10-3, a hold is initiated on the person pursuant to § 27A-8-10.1, or a petition is filed pursuant to § 27A-8-11.2, a qualified mental health professional designated by the chair of the county board of mental illness serving the area where the person is detained, other than the qualified mental health professional who brought the petition or initiated the hold, shall perform an examination, including a mental status examination, on the person. The qualified mental health professional shall perform the examination for each twenty-four-hour period during which the person is detained.

Preceding each examination, the qualified mental health professional shall identify herself or himself to the person and explain the nature and purpose of the examination, including that the examination is being performed to assist in the determination of whether the person should continue to be detained and that the examination may be used as evidence in an involuntary commitment hearing. The qualified mental health professional shall immediately report the findings from each examination performed under this section to the chair of the county board of mental illness.

The referring county shall pay any expenses of the examination by the qualified mental health professional, subject to reimbursement by the county ultimately proven to be the county of residence. No lien may be placed against the person for the costs incurred in the qualified mental health professional examination.

An Act to require certain examinations of persons awaiting involuntary commitment hearings.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

House as Bill No. 1011

2020 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2020

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2020
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1011
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State