

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

299R0529

## HOUSE BILL NO. 1154

Introduced by: Representatives Bolin, Hamiel, Jensen, Kopp, Lucas, Moser, Schlekeway, Sly, Sorenson, Steele, Van Gerpen, and Verchio and Senators Peterson and Maher

1 FOR AN ACT ENTITLED, An Act to require written incident notice from law enforcement to  
2 a juvenile's school under certain circumstances.

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

4 Section 1. That § 26-11-5.1 be amended to read as follows:

5 26-11-5.1. Notwithstanding any other provision of law, a law enforcement agency ~~may~~ shall  
6 provide notice, in writing, of an incident within its jurisdiction to public or nonpublic school  
7 officials and to the parent or guardian of a school student if the incident is one in which the  
8 agency has probable cause to believe the school student has violated any provision of state law  
9 involving alcohol, illegal drugs, firearms, or bomb threats, or has made any threat of violence  
10 relating to any school or its students, employees, or property. However, if there is a prolonged  
11 criminal investigation and revealing information would jeopardize a successful conclusion to  
12 the case, the law enforcement agency may provide the notice at some later appropriate time. ~~The~~  
13 ~~notice shall be in writing.~~

