



2020 South Dakota Legislature
House Bill 1195
ENROLLED

AN ACT

ENTITLED An Act to provide for the dismissal of charges against pregnant women for certain controlled substance offenses under certain circumstances.

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

Section 1. That a NEW SECTION be added:

22-42-23. Controlled Substance--Pregnant--Assault.

If a woman who was pregnant at the time of an alleged violation of § 22-42-5 or 22-42-5.1 provides evidence that she:

- (1) Received adequate prenatal care from a licensed health care professional during her pregnancy;
 - (2) Actively enrolled in an addiction recovery program before the child was born;
 - (3) Remained in the program after delivery; and
 - (4) Completed the addiction recovery program,
- the state shall dismiss the charge.

An Act to provide for the dismissal of charges against pregnant women for certain controlled substance offenses under certain circumstances.

I certify that the attached Act originated in the:
House as Bill No. 1195

Received at this Executive Office this ____ day of _____, 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. 1195
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State