

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

583U0654

HOUSE BILL NO. 1237

Introduced by: Representatives Hansen, Bolin, Cronin, Ecklund, Gosch, Heinemann (Leslie), Hickey, Latterell, Magstadt, Mickelson, Olson (Betty), Rounds, Sly, Stevens, and Wick and Senators Heineman (Phyllis), Brown, Lederman, Olson (Russell), and Rave

1 FOR AN ACT ENTITLED, An Act to revise certain provisions to abortion counseling.

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

3 Section 1. That the first paragraph of § 34-23A-56 be amended to read as follows:

4 34-23A-56. No surgical or medical abortion may be scheduled except by a licensed
5 physician and only after the physician physically and personally meets with the pregnant mother,
6 consults with her, and performs an assessment of her medical and personal circumstances. Only
7 after the physician completes the consultation and assessment complying with the provisions
8 of §§ 34-23A-53 to 34-23A-62, inclusive, may the physician schedule a surgical or medical
9 abortion, but in no instance may the physician schedule such surgical or medical abortion to take
10 place in less than seventy-two hours from the completion of such consultation and assessment
11 except in a medical emergency as set forth in § 34-23A-10.1 and subdivision 34-23A-1(5). No
12 Saturday, Sunday, federal holiday, or state holiday may be included or counted in the calculation
13 of the seventy-two hour minimum time period between the initial physician consultation and
14 assessment and the time of the scheduled abortion procedure. No physician may have the



1 pregnant mother sign a consent for the abortion on the day of this initial consultation. No
2 physician may take a signed consent from the pregnant mother unless the pregnant mother is in
3 the physical presence of the physician and except on the day the abortion is scheduled, and only
4 after complying with the provisions of §§ 34-23A-53 to 34-23A-62, inclusive, as they pertain
5 to the initial consultation, and only after complying with the provisions of subdivisions 34-23A-
6 10.1(1) and (2). During the initial consultation between the physician and the pregnant mother,
7 prior to scheduling a surgical or medical abortion, the physician shall:
8