

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

583U0654

HOUSE JUDICIARY ENGROSSED NO. **HB 1237** - 02/15/2013

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, or annually recurring holiday, as specifically named in § 1-5-1, may be
13 included or counted in the calculation of the seventy-two hour minimum time period between



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