

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

400R0262

## SENATE BILL NO. 41

Introduced by: The Committee on Health and Human Services at the request of the  
Department of Social Services

1 FOR AN ACT ENTITLED, An Act to specify the criminal penalty for providing care for more  
2 than twelve children in an unregistered family day care.

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

4 Section 1. That § 26-6-14.8 be amended to read as follows:

5 26-6-14.8. For the purposes of §§ 26-6-14.8 to 26-6-14.11, inclusive, unregistered family  
6 day care means the providing care and supervision of children from more than one unrelated  
7 family, in a family home, on a regular basis for part of a day as a supplement to regular parental  
8 care, without transfer of legal custody or placement for adoption, without payment directly or  
9 indirectly of any public funds. ~~An~~ No unregistered family day care home may ~~not~~ provide care  
10 for more than twelve children at any one time including children under six living in the home.  
11 Any person who violates the provisions of this section is guilty of a Class 1 misdemeanor.

