

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

454P0572

HOUSE JUDICIARY ENGROSSED NO. **HB 1253** - 1/28/2008

Introduced by: Representatives Peters, Buckingham, Cutler, Gillespie, Gilson, Kirkeby, Lucas, and Moore and Senators Sutton, Abdallah, Albers, Gant, Koetzle, McCracken, and Olson (Ed)

1 FOR AN ACT ENTITLED, An Act to require that home studies conducted for custody
2 determinations be completed by certain professionals.

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

4 Section 1. That chapter 25-4 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any home study conducted for purposes of determining custody of a minor shall be
7 completed by one of the following persons:

- 8 (1) A licensed professional counselor or licensed professional counselor-mental health
9 licensed pursuant to chapter 36-32;
- 10 (2) A marriage and family therapist licensed pursuant to chapter 36-33;
- 11 (3) A psychologist licensed pursuant to chapter 36-27A;
- 12 (4) A certified social worker licensed pursuant to chapter 36-26; or
- 13 (5) Any other person that a court may deem appropriate.

14 However, the provisions of this section do not apply to any home study conducted pursuant



1 to chapters 26-7A, 26-8A, 26-8B, and 26-8C.