

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

400V0297

HOUSE BILL NO. 1017

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1 FOR AN ACT ENTITLED, An Act to repeal certain outdated and unnecessary statutes related
2 to the Department of Social Services.

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

4 Section 1. That § 22-22-47 be repealed.

5 ~~22-22-47. If a state's attorney charges a person for a sex offense, as set forth in this chapter,~~
6 ~~and the offense involves a victim eighteen years of age or older, the state's attorney shall report~~
7 ~~the legal description of the crime and demographic information regarding the victim of the~~
8 ~~crime to the Department of Social Services. The reports required herein shall be submitted~~
9 ~~quarterly to the department in a written or electronic format provided by the department and~~
10 ~~shall not include the name, address, or social security number of the victim. The department~~
11 ~~shall maintain a database of such reports and shall make information regarding the incidence~~
12 ~~and frequency of sex offenses available to the public.~~

13 Section 2. That § 26-4-9 be repealed.

14 ~~26-4-9. The Department of Social Services shall assist in the enforcement of all laws relating~~
15 ~~to the welfare of children, including child labor laws, laws relating to cruelty, contributory~~



1 ~~delinquency and dependency, nonsupport, desertion, sex offenses against children, compulsory~~
2 ~~education, and all other laws designed to protect and assist the child and shall take the initiative~~
3 ~~in securing the enforcement of laws for the protection of children where no adequate provision~~
4 ~~is made for such enforcement.~~

5 Section 3. That § 26-4-14 be repealed.

6 ~~—26-4-14. The Board of Social Services is authorized to make such rules and regulations and~~
7 ~~take such action as may be necessary or desirable for carrying out the purposes of this chapter,~~
8 ~~and to cooperate with the federal government in conformity with the provisions of the federal~~
9 ~~Social Security Act, and to qualify for federal aid for child welfare work in South Dakota,~~
10 ~~including the adoption of such methods of administration as are required by the federal agencies~~
11 ~~and necessary for the efficient operation of the Department of Social Services.~~

12 Section 4. That § 27A-1-6 be repealed.

13 ~~—27A-1-6. Any officer required to perform an act, and any person accepting an appointment~~
14 ~~under the provisions of this title, who shall intentionally refuse or neglect to perform his duty~~
15 ~~as herein prescribed, shall be guilty of a Class 1 misdemeanor, besides being liable to an action~~
16 ~~for damages.~~

17 Section 5. That § 34-20A-93 be repealed.

18 ~~—34-20A-93. Except as hereinafter provided, neither the state nor any county, municipality,~~
19 ~~charter unit of government, or other political subdivision may adopt or enforce a law, ordinance,~~
20 ~~resolution, or rule having the force of law that includes drinking, drunkenness, or being found~~
21 ~~in an intoxicated condition as one of the elements of the offense giving rise to a criminal or civil~~
22 ~~penalty or sanction.~~

23 Section 6. That § 34-20A-94 be repealed.

24 ~~—34-20A-94. Neither the state nor any county, municipality, charter unit of government, or~~

- 1 ~~other political subdivision may interpret or apply any law of general application to circumvent~~
- 2 ~~the provision of § 34-20A-93.~~