

AN ACT

ENTITLED, An Act to revise the circumstances under which it is not required to provide reasonable efforts to reunite parents with children adjudicated as abused and neglected.

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

Section 1. That § 26-8A-21.1 be amended to read as follows:

26-8A-21.1. Nothing in § 26-8A-21 requires reunification of a child with a parent who:

- (1) Committed a crime defined in § 22-16-4, 22-16-7, 22-16-9, 22-16-15, 22-16-20, 22-22-19.1, 22-22-22, or 26-10-1 or subdivision 22-22-1(1) or (2);
- (2) Committed a crime defined in § 22-18-1.1 against the child or another child of such parent;
- (3) Has had parental rights to another child involuntarily terminated by a prior legal proceeding;
- (4) Has a documented history of abuse and neglect associated with chronic alcohol or drug abuse; or
- (5) Has demonstrated inability to protect the child from substantial harm or the risk of substantial harm, and the child has been removed from the parent's custody because the child has been adjudicated abused and neglected by a court on at least one previous occasion.

Section 2. That § 26-8A-26.1 be amended to read as follows:

26-8A-26.1. In addition to the provisions of § 26-8A-26, the court may find that good cause exists for termination of parental rights of a parent who:

- (1) Committed a crime defined in § 22-16-4, 22-16-7, 22-16-9, 22-16-15, 22-16-20, 22-22-19.1, 22-22-22, or 26-10-1 or subdivision 22-22-1(1) or (2);
- (2) Committed a crime defined in § 22-18-1.1 against the child or another child of such parent;
- (3) Has had parental rights to another child involuntarily terminated by a prior legal proceeding;

- (4) Has a documented history of abuse and neglect associated with chronic alcohol or drug abuse; or
- (5) Has demonstrated inability to protect the child from substantial harm or the risk of substantial harm, and the child has been removed from the parent's custody because the child has been adjudicated abused and neglected by a court on at least one previous occasion.

An Act to revise the circumstances under which it is not required to provide reasonable efforts to reunite parents with children adjudicated as abused and neglected.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1297

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1297  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_\_ day of \_\_\_\_\_ ,

19\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 19\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 19\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State