

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

535D0625

HOUSE BILL NO. 1192

Introduced by: Representatives Duniphan, Apa, Broderick, Cutler, Hunt, McIntyre, Michels, Roe, Smidt, and Wudel and Senators Olson, Albers, Flowers, Moore, Rounds, and Whiting

1 FOR AN ACT ENTITLED, An Act to allow law enforcement agencies to report certain
2 violations of law and threats made by a student.

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

4 Section 1. That § 26-11-5.1 be amended to read as follows:

5 26-11-5.1. Notwithstanding any other provision of law, a law enforcement agency may
6 provide notice of an incident within its jurisdiction to public or nonpublic school officials and to
7 the parent or guardian of any incident occurring within the agency's jurisdiction a school student
8 if the incident is one in which the agency has probable cause to believe a the school student has
9 violated any provision of state law involving alcohol ~~or~~ illegal drugs, firearms, or bomb threats,
10 or has made any threat of violence relating to any school or its students, employees, or property.

11 However, if there is a prolonged criminal investigation and revealing information would
12 jeopardize a successful conclusion to the case, the law enforcement agency may provide the
13 notice at some later appropriate time. The notice shall be in writing.