

AN ACT

ENTITLED, An Act to limit the use of mechanical restraints in juvenile correctional facilities.

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

Section 1. That chapter 26-11A be amended by adding thereto a NEW SECTION to read as follows:

No agent or employee of the Department of Corrections may use or employ restraints upon a juvenile committed to the Department of Corrections except:

- (1) To prevent imminent bodily harm;
- (2) As a precaution against escape or to prevent an escape;
- (3) To prevent imminent property damages; or
- (4) When reasonable under emergency circumstances.

For purposes of this Act, restraints are handcuffs, legcuffs, restraint belts, and tethers made of fabric, metal, plastic, or leather; restraint boards, restraint chairs, swaddle beds, and mechanisms to secure cuffs to a bed, restraint board, or chair.

An Act to limit the use of mechanical restraints in juvenile correctional facilities.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1239

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. 1239

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
SS.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State