

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

400J0330

HOUSE BILL NO. 1027

Introduced by: The Committee on Health and Human Services at the request of the
Department of Human Services

1 FOR AN ACT ENTITLED, An Act to provide for the discharge of an involuntarily committed
2 person if that person no longer meets commitment criteria.

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

4 Section 1. That chapter 27B-7 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any person involuntarily committed shall be discharged if the director of the South Dakota
7 Developmental Center or the director of a developmental disability community service provider
8 determines that the person no longer meets commitment criteria. The South Dakota
9 Developmental Center or community service provider shall immediately notify the chair of the
10 county review board who issued the commitment order that the person no longer meets
11 commitment criteria and that the person is being discharged. Nothing in this section precludes
12 any person or the person's legal representative from subsequently seeking admission to a
13 program on a voluntary basis.

