

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

557M0124

HOUSE HEALTH AND HUMAN SERVICES  
COMMITTEE ENGROSSED NO. **HB 1059** -  
01/23/2006

Introduced by: Representatives Peters, Buckingham, Gillespie, Klautdt, and Lange and  
Senators Gant, Apa, Earley, Koskan, and Moore

1 FOR AN ACT ENTITLED, An Act to provide for notification by the Department of Social  
2 Services to the parents of certain determinations of child abuse or neglect.

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

4 Section 1. If an investigation by the Department of Social Services determines that abuse  
5 or neglect has occurred, the department shall make reasonable efforts to inform each of the  
6 child's parents of the determination with due regard given to the rights of the subject of the  
7 report pursuant to § 26-8A-11. The information shall only include identification of the  
8 provisions of § 26-8A-2 which constituted the basis for the determination that abuse or neglect  
9 occurred. This provision does not limit the department in providing services to a parent who is  
10 the subject of the report. A notice of the report shall be sent, by certified mail, to any parent who  
11 is not the subject of the report at the parent's last known address. The information shall be  
12 maintained confidential by the parent pursuant to § 26-8A-13.

13 Section 2. The provisions of section 1 of this Act do not apply if the department has good  
14 cause to believe that the provisions of the information will be seriously detrimental to the best



1 interests of the child.