

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

673M0607

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

HB 1194 - 02/03/2006

Introduced by: Representatives Weems, Brunner, Davis, Deadrick, Dykstra, Faehn, Frost, Fryslie, Gassman, Gillespie, Glenski, Hargens, Heineman, Howie, Hunt, Jensen, Jerke, Klaudt, Kraus, Krebs, Lange, McCoy, Miles, Novstrup, Olson (Ryan), Pederson (Gordon), Rausch, Rave, Rhoden, Rounds, Schafer, Sebert, Tornow, Van Etten, Wick, and Willadsen and Senators Greenfield, Abdallah, Apa, Bartling, Bogue, Broderick, Duenwald, Earley, Gray, Hansen (Tom), Hanson (Gary), Kelly, Kloucek, Koskan, Lintz, McNenny, Moore, Napoli, and Schoenbeck

1 FOR AN ACT ENTITLED, An Act to prohibit the distribution of contraceptives to public
2 school students, to prohibit public school employees from referring public school students
3 to abortion or family planning services, and to provide penalties therefor.

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

5 Section 1. That chapter 13-33A be amended by adding thereto a NEW SECTION to read
6 as follows:

7 No person may dispense, provide, or otherwise distribute in a public school or on public
8 school property, any contraceptive or abortifacient drug, contraceptive device, or other similar
9 drug or device.

10 A violation of this section is a Class 1 misdemeanor.

11 Section 2. That chapter 13-33A be amended by adding thereto a NEW SECTION to read
12 as follows:



1 No employee of a school district, while performing employment duties, may send, direct,
2 or accompany any student of that school district for abortion or family planning services, unless
3 the employee is the parent or legal guardian of the student.

4 A violation of this Act is a Class 2 misdemeanor.

5 Section 3. The provisions of this Act do not apply to any school governed by the provisions
6 of chapter 13-39.