

AN ACT

ENTITLED, An Act to authorize the disclosure of certain confidential information when a person who is subject to commitment proceedings has communicated a serious threat of serious physical injury against a reasonably identifiable victim.

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

Section 1. That § 27A-12-29 be amended to read as follows:

27A-12-29. Information may be disclosed in the discretion of the holder of the record:

- (1) As necessary or beneficial in order for the person, or persons acting on behalf of the person, to apply for and acquire benefits for the person, including third-party financial payments, assistance, or services and follow-up, care, and treatment by local centers serving the area to which a person is expected to go upon temporary or permanent release or discharge;
- (2) As necessary or beneficial for evaluation and accreditation;
- (3) As necessary or beneficial to train persons enrolled in an accredited course leading to a degree and qualification, certification, or registration as a qualified mental health professional, licensed practical nurse, registered nurse, psychologist, social worker, physical therapist, occupational therapist, laboratory technician, medical records professional, dietician, or other health care professional;
- (4) Upon request of the Human Services Center, with disclosure of records limited to relevant medical and psychiatric records; or
- (5) If any person subject to the proceedings under this chapter has communicated a serious threat of serious physical injury against a reasonably identifiable victim, the person with knowledge of the threat may disclose the threat to the potential victim or to any law enforcement officer, or both. No cause of action may arise under this chapter against the

person who, in good faith, discloses the threat to a potential victim or law enforcement officer pursuant to the provisions of this subdivision.

An Act to authorize the disclosure of certain confidential information when a person who is subject to commitment proceedings has communicated a serious threat of serious physical injury against a reasonably identifiable victim.

I certify that the attached Act
originated in the

HOUSE as Bill No. 1194

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1194
File No. _____
Chapter No. _____

Received at this Executive Office
this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

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

Governor

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