

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

768N0014

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1209** - 02/09/2007

Introduced by: Representatives Moore, Jerke, and Peters and Senators Koetzle, Hanson (Gary), Napoli, and Olson (Ed)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the confidentiality
2 of the juvenile corrections monitor report.

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

4 Section 1. That § 26-11A-33 be amended to read as follows:

5 26-11A-33. The identity of the juvenile and of any person or agency making a report to the
6 monitor shall be kept confidential. Any confidential addendum to a report provided by the
7 juvenile corrections monitor, any report provided under § 26-11A-28, and any information
8 contained therein or appurtenant thereto are confidential. A violation of this section is a Class
9 1 misdemeanor.

10 Section 2. That § 26-11A-28 be amended to read as follows:

11 26-11A-28. ~~It shall be the responsibility of the~~ The monitor to shall report immediately, in
12 writing, any findings of abuse or neglect in a juvenile corrections facility to the secretary of the
13 Department of Corrections, the secretary of the Department of Human Services, the Government
14 Operations and Audit Committee created in § 2-6-2, and the Governor, and ~~to shall~~ state in the
15 report the facts found by the monitor and the names of any individuals who perpetrated the



1 abuse or neglect. This report is confidential.