State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

328W0101

SENATE STATE AFFAIRS ENGROSSED NO. SB 70 - 01/28/2015

Introduced by: Senators Soholt, Haggar (Jenna), and Solano and Representative Gibson at the request of the Jolene's Law Task Force

FOR AN ACT ENTITLED, An Act to require that the mandatory reporter who witnessed the disclosure or evidence of child abuse or neglect be available to answer questions when the initial report is made.

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

Section 1. That § 26-8A-8 be amended to read as follows:

26-8A-8. The reports required by §§ 26-8A-3, 26-8A-6, and 26-8A-7 and by other sections of this chapter shall be made orally and immediately by telephone or otherwise to the state's attorney of the county in which the child resides or is present, to the Department of Social Services or to law enforcement officers. The mandatory reporter who witnessed the disclosure or evidence of the abuse or neglect must be available to answer questions when the initial report is made pursuant to this section. The state's attorney or law enforcement officers, upon receiving a report, shall immediately notify the Department of Social Services. Any person receiving a report of suspected child abuse or child neglect shall keep the report confidential as provided in § 26-8A-13, except as otherwise provided in chapter 26-7A or this chapter.

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Insertions into existing statutes are indicated by underscores.
Deletions from existing statutes are indicated by ~~overstrikes~~.

The person receiving a report alleging child abuse or neglect shall ask whether or not the reporting party desires a response report. If requested by the reporting person, the Department of Social Services or the concerned law enforcement officer shall issue within thirty days, a written acknowledgment of receipt of the report and a response stating whether or not the report will be investigated.