



2021 South Dakota Legislature

House Bill 1220

Introduced by: **Representative Healy**

1 **An Act to authorize the provision of informed consent by a pregnant minor.**

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

3 **Section 1.** That a NEW SECTION be added:

4 **26-1-5. Pregnant minor--Informed consent.**

5 A pregnant minor who has the mental capacity to consent may provide informed
 6 consent for any medical or dental procedures or services, including hospitalization and
 7 surgery, related to the minor's prenatal care, the delivery process, or postnatal care, if:

8 (1) The health care provider first makes a reasonable effort to obtain consent from the
 9 minor's parent or guardian; and

10 (2) The minor's parent or guardian is either unavailable or unreasonably withholds
 11 consent.

12 This section does not apply to an emancipated minor, as defined in § 25-5-24, nor
 13 to any consent required prior to an abortion, as set forth in chapter 34-23A.