

2022 South Dakota Legislature

House Bill 1133**AMENDMENT 1133D FOR THE HOUSE HEALTH AND HUMAN SERVICES ENGROSSED BILL**

1 **An Act to provide that the cost of a home study required for an adoption is the**
2 **responsibility of the Department of Social Services.**

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

4 **Section 1. That § 25-6-9.1 be AMENDED:**

5 **25-6-9.1.** ~~No~~ A person may not place a child in a home for adoption until a home
6 study has been completed by a licensed child placement agency, as defined in § 26-6-14,
7 the Department of Social Services, or a certified social worker eligible to engage in private
8 independent practice, as defined in § 36-26-17. Any person who submitted home studies
9 under this section or under § 26-4-15 prior to July 1, 1990, may continue to submit home
10 study reports without meeting the above requirements.

11 A home study ~~shall~~ must include a fingerprint--based criminal record check
12 completed by the Division of Criminal Investigation and a central registry screening
13 completed by the Department of Social Services. ~~In addition, no~~

14 A child who is in the custody of the Department of Social Services may not be
15 placed in a home for adoption until a fingerprint--based criminal record check has been
16 completed by the Federal Bureau of Investigation, for each adopting parent.

17 The cost of a home study required under this section is the responsibility of the
18 Department of Social Services. The necessary funding must be budgeted and expended
19 through the general appropriations act, pursuant to chapter 4-7. **The Department shall**
20 **make rules pursuant to chapter 1-26 to establish a cap on the cost to be reimbursed.**

21 Any person who violates ~~the provisions of~~ this section is guilty of a Class 1
22 misdemeanor.