

## 2022 South Dakota Legislature

**House Bill 1223****AMENDMENT 1223H FOR THE HOUSE HEALTH AND HUMAN SERVICES ENGROSSED BILL**

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 chapter 26-1 be amended with a NEW SECTION:**

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

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

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

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