



2022 South Dakota Legislature
House Bill 1223
ENROLLED

AN ACT

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

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

Section 1. That chapter 26-1 be amended with a NEW SECTION:

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

- (1) The health care provider first makes an effort to obtain consent from the minor's parent or guardian; and
- (2) The minor's parent or guardian is either unavailable or withholds consent.

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

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

I certify that the attached Act originated in the:
House as Bill No. 1223

Received at this Executive Office this ____ day of _____, 2022 at _____ M.

Chief Clerk

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2022

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2022 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1223
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State