



2023 South Dakota Legislature

House Bill 1139

Introduced by: **Representative** Sue Peterson

1 **An Act to codify the fundamental right of a parent.**

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

3 **Section 1. That chapter 1-1A be amended with a NEW SECTION:**

4 The liberty interest of a parent in the nurture, upbringing, education, care, custody,
5 and control of the parent's child is a fundamental right. No agency or officer of this state
6 nor any agency or officer of any subdivision of this state shall infringe upon the
7 fundamental right of a parent unless the infringement is narrowly tailored to meet a
8 compelling governmental interest by the least restrictive means as provided by law.