



2023 South Dakota Legislature

House Bill 1191

Introduced by: **Representative** DeGroot

1 **An Act to clarify the duties of truancy officers.**

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

3 **Section 1. That § 13-27-20 be AMENDED:**

4 **13-27-20.** Each truancy officer shall make and file truancy complaints, ~~and any~~
5 for children who are enrolled in the school district. Any teacher, school officer, or ~~any~~
6 citizen may make and file a truancy complaint, before a circuit court judge, against any
7 person having control of a child of compulsory school age who is not being provided with
8 alternative instruction or attending school or whose attendance at school is irregular. The
9 complaint ~~shall~~ must state the name of the parent, guardian, or person responsible for
10 the control of the child. The complaint ~~shall~~ must be verified by oath upon belief of the
11 complainant. A truancy complaint that, together with any accompanying affidavit, does
12 not establish probable cause ~~shall~~ must be dismissed upon motion of the defendant to the
13 circuit court judge.