2023 South Dakota Legislature

Senate Bill 7

ENROLLED

AN ACT

ENTITLED An Act to clarify emergency commitments of severely mentally ill persons by appropriate regional facilities.

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

Section 1. That § 27A-10-19 be AMENDED:

27A-10-19. If any person presents to a facility licensed by the state as a hospital or designated as an appropriate regional facility, other than the Human Services Center, and after an examination by a qualified mental health professional it is determined that the person is severely mentally ill and in such condition that immediate intervention is necessary to protect the person from physical harm to self or others, the qualified mental health professional may initiate a twenty-four-hour hold on the person and retain the person at the hospital or appropriate regional facility for purposes of observation and emergency treatment. The hospital, the appropriate regional facility, or the qualified mental health professional shall notify the chair of the county board of mental illness of the twenty-four-hour hold. The qualified mental health professional shall petition for commitment of the person according to §§ 27A-10-1 and 27A-10-4. The person shall be afforded rights according to § 27A-10-5. If a petition for emergency commitment pursuant to § 27A-10-1 is not filed within twenty-four hours, the person must be released.

An Act to clarify emergency commitments of severely mentally ill persons by appropriate regional facilities.

I certify that the attached Act originated in the:

Senate as Bill No. 7

_____
Secretary of the Senate

_____
President of the Senate

Attest:

_____
Secretary of the Senate

_____
Speaker of the House

Attest:

_____
Chief Clerk

Received at this Executive Office this _____ day of _____,

2023 at _____M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____, A.D., 2023

_____
Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 2023 at _____ o'clock ___M.

_____
Secretary of State

By _____
Asst. Secretary of State

Senate Bill No. 7
File No. _____
Chapter No. _____

SB7 ENROLLED