



2023 South Dakota Legislature
Senate Bill 180
ENROLLED

AN ACT

ENTITLED An Act to address requirements for the execution of a living will.

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

Section 1. That § 34-12D-2 be AMENDED:

34-12D-2. A competent adult may at any time execute a declaration governing the withholding or withdrawal of life-sustaining treatment. The declaration must be signed by the declarant, or by another at the declarant's direction, and witnessed by two adults, or by a notary public who shall thereafter notarize the declaration.

A declaration must state the declarant's preferences regarding the provision, withholding, or withdrawal of artificial nutrition and hydration.

If the declaration does not state the declarant's preferences regarding the provision, withholding, or withdrawal of artificial nutrition and hydration, any determination regarding the provision, withholding, or withdrawal of artificial nutrition and hydration is governed by the laws of this state that apply in the absence of a declaration.

An Act to address requirements for the execution of a living will.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

Senate as Bill No. 180

2023 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

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

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2023
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 180
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State