



2024 South Dakota Legislature

Senate Bill 216

Introduced by: **Senator Nesiba**

1 **An Act to modify provisions related to prohibited medical interventions on minors.**

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

3 **Section 1. That § 34-24-34 be AMENDED:**

4 **34-24-34.** Except as provided in § 34-24-35, a healthcare professional may not,
5 for the purpose of attempting to alter the appearance of, or to validate a minor's
6 perception of, the minor's sex, if that appearance or perception is inconsistent with the
7 minor's sex, knowingly:

- 8 (1) Prescribe or administer any drug to delay or stop normal puberty, unless the
9 minor's parent or legal guardian has consented to the prescription or
10 administration;
- 11 (2) Prescribe or administer testosterone, estrogen, or progesterone, in amounts
12 greater than would normally be produced endogenously in a healthy individual of
13 the same age and sex, unless the minor's parent or legal guardian has consented
14 to the prescription or administration;
- 15 (3) Perform any sterilizing surgery, including castration, hysterectomy, oophorectomy,
16 orchiectomy, penectomy, and vasectomy;
- 17 (4) Perform any surgery that artificially constructs tissue having the appearance of
18 genitalia differing from the minor's sex, including metoidioplasty, phalloplasty, and
19 vaginoplasty; or
- 20 (5) Remove any healthy or non-diseased body part or tissue.

21 **Section 2. That § 34-24-37 be AMENDED:**

22 **34-24-37.** Any civil action to recover damages for injury suffered as a result of a
23 violation of § 34-24-34 must be commenced ~~before the later of:~~

- 24 ~~(1) The date on which the person reaches age twenty-five; or~~

1 ~~(2) Within three~~ within two years from the time the person discovered or
2 reasonably should have discovered that the injury or damages were caused by the
3 violation.