



2025 South Dakota Legislature
House Bill 1141
ENROLLED

AN ACT

ENTITLED An Act to provide an exception for employers to acquire and distribute opioid antagonists that are available over the counter.

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

Section 1. That § 34-20A-105.1 be AMENDED:

34-20A-105.1. A licensed health care professional may, directly or by standing order, dispense or distribute an opioid antagonist that requires a prescription to an employer.

An employer may acquire and make available on the employer's premises an opioid antagonist that requires a prescription if the employer:

- (1) Develops a protocol for the transport, storage, maintenance, and location of the opioid antagonist;
- (2) Provides training and instruction, developed by the Department of Health and made available on the Department of Health website, to employees or personnel authorized to administer an opioid antagonist on the employer's premises; and
- (3) Prominently posts instructions on the administration of an opioid antagonist and post-administration protocol, if the employer makes it accessible to the public.

The requirements of this section do not apply to an opioid antagonist that is available over the counter. An employer may acquire and distribute an opioid antagonist that is available over the counter to any person.

An employer, employee, or other authorized personnel of an employer may not be held liable for any death, injury, or damage that arises out of the administration of, the self-administration of, or the failure to administer an opioid antagonist, if such action or inaction constitutes ordinary negligence.

An Act to provide an exception for employers to acquire and distribute opioid antagonists that are available over the counter.

I certify that the attached Act originated in
the:
House as Bill No. 1141

Received at this Executive Office
this ____ day of _____,
2025 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2025

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2025
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1141
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State