



2026 South Dakota Legislature

House Bill 1216

Introduced by: **Representative Healy**

1 **An Act to revise the list of mandatory reporters of suspected child abuse or neglect.**

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

3 **Section 1. That § 26-8A-3 be AMENDED:**

4 **26-8A-3.** Any physician, dentist, doctor of osteopathy, chiropractor, optometrist,
 5 emergency medical technician, paramedic, mental health professional or counselor,
 6 podiatrist, psychologist, member of the clergy, religious healing practitioner, social
 7 worker, hospital intern or resident, parole or court services officer, law enforcement
 8 officer, teacher, school counselor, school official, nurse, licensed or registered child welfare
 9 provider, employee or volunteer of a domestic abuse shelter, employee or volunteer of a
 10 child advocacy organization or child welfare service provider, chemical dependency
 11 counselor, coroner, dental hygienist, or any safety-sensitive position as defined in § 3-6C-
 12 1, who has reasonable cause to suspect that a child under the age of eighteen has been
 13 abused or neglected as defined in § 26-8A-2, shall report that information in accordance
 14 with §§ 26-8A-6, 26-8A-7, and 26-8A-8. Any person who intentionally fails to make the
 15 required report is guilty of a Class 1 misdemeanor.

16 Any person who knows or has reason to suspect that a child has been abused or
 17 neglected as defined in § 26-8A-2 may report that information as provided in § 26-8A-8.

18 **Section 2. That § 26-8A-15 be AMENDED:**

19 **26-8A-15.** The privilege of confidentiality set forth in §§ 19-2-3, 19-19-503, 19-
 20 19-504, 19-19-505, 19-19-508.1, and 36-26-30 may not be claimed in any judicial
 21 proceeding involving an alleged abused or neglected child or resulting from the giving or
 22 causing the giving of a report concerning abuse or neglect of a child pursuant to §§ 26-
 23 8A-3 to 26-8A-8, inclusive.