

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

547B0762

HOUSE BILL NO. 1205

Introduced by: Representatives Pischke, Frye-Mueller, Livermont, and Randolph and Senator Jensen (Phil)

1 FOR AN ACT ENTITLED, An Act to provide parents with certain rights regarding health care
2 treatment of a minor child.

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

4 Section 1. That the code be amended by adding a NEW SECTION to read:

5 A parent has a right to refuse consent to health care treatment of a minor child if the parent
6 believes that the treatment would induce, confirm, or promote the child's belief that the child's
7 sex or gender identity is different from the child's sex presented at birth. No public authority or
8 official of this state may take any adverse action against a parent for exercising this right.

9 Section 2. That the code be amended by adding a NEW SECTION to read:

10 For the purposes of this Act, the term:

11 (1) "Adverse action," is to be construed broadly and includes any liability, penalty, or
12 other legal disadvantage;

13 (2) "Health care," is to be construed broadly and includes medical, psychiatric,
14 psychological, and counseling services; and

15 (3) "Parent," includes anyone who is legal custodian or guardian of a minor.

