

AN ACT

ENTITLED, An Act to provide for certain privileged communications between social workers and students.

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

Section 1. That § 19-19-508.1 be amended to read:

19-19-508.1. No counselor or school psychologist, certificated in accordance with the certification regulations of the South Dakota Board of Education Standards, or social worker licensed under chapter 36-26 and regularly employed as a counselor, school psychologist, or social worker for a private or public elementary or secondary school or school system in the State of South Dakota, may divulge to any other person, or be examined concerning any information or communication given to the counselor, school psychologist, or social worker in the counselor's, school psychologist's, or social worker's official capacity by a student unless:

- (1) This privilege is waived in writing by the student; or
- (2) The information or communication was made to the counselor, school psychologist, or social worker for the express purpose of being communicated or of being made public; or
- (3) The counselor, school psychologist, or social worker has reason to suspect, as a result of that information or communication, that the student or some other persons have been subjected to child abuse or that the student's physical or mental health or the physical or mental health of other persons may be in jeopardy.

An Act to provide for certain privileged communications between social workers and students.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1155

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1155

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State