

## 2020 South Dakota Legislature

**Senate Bill 173****AMENDMENT 173A FOR THE INTRODUCED BILL**

1 **An Act to establish limitations applicable to initial family assessments.**

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

3 **Section 1.** That a NEW SECTION be added:

4 **26-8A-9.1. Initial family assessments--Written notice--Limitations.**

5 Before an employee of the Department of Social Services, Division of Child  
6 Protection Services, begins an initial family assessment for the purpose of investigating a  
7 report of child abuse or neglect, the employee shall deliver to the child's parent a written  
8 notice indicating that:

9 ~~(1) The employee does not have a warrant to remove a child from the home and place~~  
10 ~~the child in protective custody;~~

11 ~~(2) The employee does not have the right authority to remove a child from the home~~  
12 ~~and place the child in protective custody unless the employee first obtains a~~  
13 ~~warrant;~~

14 ~~(3)(2) The parent may withhold permission for the employee to enter the home until such~~  
15 ~~time as the employee obtains a warrant; and~~

16 ~~(4)(3) If a law enforcement officer is who may be accompanying the employee, the~~  
17 ~~purpose is to ensure the safety and well-being of the employee and is not present,~~  
18 ~~implicitly or explicitly, to threaten or intimidate the parent.~~