



STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR

KRISTI NOEM | GOVERNOR

March 23, 2020

The Honorable Larry Rhoden
President of the Senate
500 East Capitol Avenue
Pierre, South Dakota 57501

Dear Mr. President Rhoden and Members of the Senate:

I respectfully return Senate Bill 20 with the following recommendation as to STYLE and FORM. Senate Bill 20 is An Act to create a monitor to review and respond to complaints related to the care provided to youth in the custody or care of certain care facilities, treatment centers, and programs.

SB 20, in part, requires the Department of Social Services to designate a monitor to receive and resolve grievances related to quality of care provided to youth placed in the custody or care of certain facilities, ensuring that South Dakotans, specifically youth, have a designated individual to go to with complaints.

During the legislative process, SB 20 was amended on the Senate floor to specify that the monitor shall be a mandatory reporter; however, the drafting of the amendment causes confusion because it was added as a subsection that relates to custody or care facilities. In addition, subsection (3) of section 2 erroneously refers to "this section" when it should refer to "§ 26-6-1.2" for the definition of a shelter care facility.

To carry out the objective of this bill in a manner consistent with the Legislature's intent, I recommend the following Style and Form correction to the Enrolled version of Senate Bill 20:

On Page 1 in Section 2 in subdivision (3), delete "this section; or" and insert "§ 26-6-1.2."

On Page 1 in Section 2 in subdivision (4), delete "(4)" making "The monitor shall be a mandatory reporter pursuant to § 26-8A-3." its own paragraph within section 2.

This clarification will ensure the statute reads correctly and includes all intended requirements. I am not opposed to this legislation and hope this bill becomes law. I respectfully request that you concur with my recommendation as to Style and Form.

Respectfully submitted,

Governor Kristi Noem

cc: The Honorable Steven Haugaard;
The Honorable Steven Barnett

STATE CAPITOL | 500 EAST CAPITOL | PIERRE, SOUTH DAKOTA | 605.773.3212