

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

804B0725

## HOUSE BILL NO. 1257

Introduced by: Representatives Eccarius, Brown (Jarvis), Duenwald, Duniphan, Fitzgerald, Gabriel, Hagen, Madden, Peterson (Bill), Smidt, Van Gerpen, and Volesky and Senators Everist and Staggers

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to emergency  
2 commitment for drug or alcohol treatment.

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

4 Section 1. That § 34-20A-63 be amended to read as follows:

5 34-20A-63. An intoxicated person who:

6 (1) Has threatened, attempted, or inflicted physical harm on himself or herself or on  
7 another or is likely to inflict physical harm on another unless committed; or

8 (2) Is incapacitated by the effects of alcohol or drugs; or

9 (3) Is pregnant and abusing alcohol or drugs;

10 may be committed to an approved treatment facility for emergency treatment. A refusal to  
11 undergo treatment does not constitute evidence of lack of judgment as to the need for treatment.