

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

943R0708

HOUSE JUDICIARY ENGROSSED NO. **HB 1228**
2/22/2010

Introduced by: Representatives Engels, Blake, Gibson, Hamiel, Kirkeby, Krebs, Lust, Moser, Noem, Schlekeway, Steele, and Turbiville and Senators Bradford, Abdallah, Bartling, Peterson, Schmidt, Tieszen, Turbak Berry, and Vehle

1 FOR AN ACT ENTITLED, An Act to establish an ancillary standard in determining the best
2 interests of a child.

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

4 Section 1. That chapter 25-4 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 In determining what is in the best interest of any particular child, the court shall consider
7 whether the person whose conduct is under review has ever attempted to influence a child
8 custody hearing by, falsely or without good cause, reporting pursuant to chapter 26-8A that
9 some other person has committed sexual abuse, physical abuse, or abuse and neglect against the
10 child or a sibling of the child. Nothing in this Act effects the confidentiality of records and files
11 relating to reports of child abuse or neglect maintained by the Department of Social Services
12 pursuant to chapter 26-8A.

