

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

955T0051

## SENATE BILL NO. 125

Introduced by: Senators Buhl, Bradford, Frerichs, Holien, Nygaard, Schlekeway, Sutton, Tidemann, and Tieszen and Representatives Blake, Abdallah, Deelstra, Fargen, Gibson, Hansen (Jon), Hickey, Moser, and Nelson (Stace)

1 FOR AN ACT ENTITLED, An Act to require certain day care providers to mail notices of  
2 noncompliance.

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

4 Section 1. That chapter 26-6 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 If the Department of Social Services or any other jurisdiction with enforcement authority  
7 determines that a family day care provider, a group family day care home, or a day care center  
8 is out of compliance with a license or registration requirement of chapter 26-6 or ARSD Article  
9 67:42, the provider shall mail a written notice to the parents or legal guardian of each child  
10 under the provider's care. The written notice shall inform the parent or legal guardian of the  
11 statute or rule violation, the plan or action to correct the violation, and the penalty that may be  
12 imposed if the violation is not corrected. The parent or guardian shall sign a notice of receipt  
13 and return it to the child care provider. The license or registration certificate for the family day  
14 care provider, the group family day care home, or day care center may be revoked if the family



- 1 day care provider, the group family day care home, or day care center fails to mail the written
- 2 notice to any parent or legal guardian.