



2025 South Dakota Legislature

House Bill 1005

Introduced by: The Chair of the Committee on Health and Human Services at the request of the Department of Social Services

1 **An Act to remove the requirement for payment of a private home study by the**
2 **Department of Social Services.**

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

4 **Section 1. That § 25-6-9.1 be AMENDED:**

5 **25-6-9.1.** A person may not place a child in a home for adoption until a home
6 study has been completed by a licensed child placement agency, as defined in § 26-6-14,
7 the Department of Social Services, or a certified social worker eligible to engage in private
8 independent practice, as defined in § 36-26-17. Any person who submitted home studies
9 under this section or under § 26-4-15 prior to July 1, 1990, may continue to submit home
10 study reports without meeting the above requirements.

11 A home study must include a fingerprint-based criminal record check completed by
12 the Division of Criminal Investigation and a central registry screening completed by the
13 Department of Social Services.

14 A child who is in the custody of the Department of Social Services may not be
15 placed in a home for adoption until a fingerprint-based criminal record check has been
16 completed by the Federal Bureau of Investigation, for each adopting parent.

17 ~~The cost of a home study required under this section is the responsibility of the~~
18 ~~Department of Social Services. The necessary funding must be budgeted and expended~~
19 ~~through the general appropriations act, pursuant to chapter 4-7. The Department shall~~
20 ~~make rules pursuant to chapter 1-26 to establish a cap on the cost to be reimbursed.~~

21 Any person who violates this section is guilty of a Class 1 misdemeanor.