



## 2025 South Dakota Legislature

**House Bill 1005**

HOUSE ENGROSSED

*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 modify 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~~ department.

14 A child who is in the custody of the ~~Department of Social Services~~ department may  
15 not be placed in a home for adoption until a fingerprint-based criminal record check has  
16 been 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 department shall contribute one thousand five hundred~~  
19 ~~dollars towards the cost of each home study required under this section.~~ The necessary  
20 funding must be budgeted and expended through the general ~~appropriations act~~  
21 appropriation bill, pursuant to chapter 4-7. ~~The Department shall make rules pursuant to~~  
22 ~~chapter 1-26 to establish a cap on the cost to be reimbursed.~~

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