

AN ACT

ENTITLED, An Act to allow law enforcement to initiate a mental illness hold in domestic abuse situations.

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

Section 1. That the code be amended by adding a NEW SECTION to read:

Notwithstanding § 25-10-40, if the police officer or sheriff believes that the domestic abuse perpetrator has a severe mental illness that makes the person an imminent danger to self or others, the officer or sheriff may initiate a mental illness hold under § 27A-10-3 and transport the person to an appropriate regional facility as described in that section and in accordance with the provisions set forth in title 27A. This section is not a substitution for an arrest under the provisions of chapter 25-10, and the person shall be released only to the custody of law enforcement or a law enforcement agency if the mental illness hold is released.

An Act to allow law enforcement to initiate a mental illness hold in domestic abuse situations.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1100

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1100

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State