

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

445H0112

HOUSE HEALTH AND HUMAN SERVICES
COMMITTEE ENGROSSED NO. **HB 1162** -
01/23/2002

Introduced by: Representatives Van Etten, Frost, Jensen, Konold, Madsen, and McCaulley
and Senators Albers and de Hueck

1 FOR AN ACT ENTITLED, An Act to prohibit the advertising of adoptions under certain
2 circumstances.

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

4 Section 1. No person or entity may advertise or cause to be published, within the state, an
5 advertisement or notice of a child offered or wanted for adoption. No person or entity may hold
6 oneself out through an advertisement as having the ability to place, locate, or receive a child for
7 adoption. This section does not apply to the Department of Social Services, a licensed child
8 placement agency as defined in § 26-6-14, or an attorney licensed in the State of South Dakota.

9 Section 2. For the purposes of this Act, an advertisement means any communication by
10 newspaper, radio, television, handbill, placard, telephone directory, or other print, broadcast, or
11 electronic medium.

12 Section 3. No person may publish or cause to be published, within this state, any
13 advertisement or notice of a child offered or wanted for adoption. A violation of this section is
14 a Class 2 misdemeanor. This section does not apply to any advertisement placed by the



- 1 Department of Social Services, a licensed child placement agency as defined in § 26-6-14, or an
- 2 attorney licensed in the State of South Dakota.