



2020 South Dakota Legislature
House Bill 1009
ENROLLED

AN ACT

ENTITLED An Act to revise provisions regarding failure to comply with outpatient commitment or treatment orders.

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

Section 1. That § 27A-10-9.6 be AMENDED:

27A-10-9.6. Failure to comply with outpatient commitment or treatment order--Supplemental hearing--Alternative disposition.

If a person fails to comply with the requirement of the outpatient commitment or treatment order, and the person's treating physician or the staff of the outpatient treatment program believes that there is a significant risk of deterioration in the person's condition, the program director or the treating physician may notify the chair of the county board of mental illness that issued the outpatient commitment or treatment order, the chair of the board where the person is located, the office of the state's attorney of the county where the person is located, and the office of the state's attorney of the county where the person is subject to the outpatient commitment or treatment order, and recommend an appropriate alternate disposition under § 27A-11A-21 or 27A-11A-22.

Within seventy-two hours of receiving notification under this section, the state's attorney may file a petition with the board or the court for, or the chair of the board or the court may order, a supplemental hearing, or the chair of the board or the court may proceed under any other section of this title. The board or the court shall hold the hearing in accordance with the procedures specified in this title. The chair of the board or the court may order the apprehension and transportation of the person to attend the hearing.

An Act to revise provisions regarding failure to comply with outpatient commitment or treatment orders.

I certify that the attached Act originated in the:
House as Bill No. 1009

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1009
File No. _____
Chapter No. _____

Received at this Executive Office
this ____ day of _____,
2020 at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2020

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 2020
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State