



2020 South Dakota Legislature  
**House Bill 1010**  
**ENROLLED**

AN ACT

**ENTITLED An Act to revise provisions regarding testimony of qualified mental health professionals at involuntary commitment hearings.**

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

**Section 1.** That § 27A-10-9 be AMENDED:

**27A-10-9. Testimony of qualified mental health professional--Availability and appropriateness of alternatives.**

The board of mental illness conducting the involuntary commitment hearing as provided in § 27A-10-8 shall order testimony by a qualified mental health professional, other than the professional who submitted the petition under § 27A-10-1 or initiated the hold under § 27A-10-19, who shall assess the availability and appropriateness of treatment alternatives, including treatment programs other than inpatient treatment and whether such programs are available at the mental health center serving the area in which the person was apprehended or resides. Such testimony shall include what alternatives are or should be made available, what alternatives were investigated, and why any investigated alternatives are not deemed appropriate.

If the board determines that alternatives to inpatient treatment are appropriate, commitment for inpatient treatment to the center or other inpatient psychiatric facility may not be ordered and commitment shall be to the least restrictive treatment alternative as required in subdivision 27A-10-9.1(3).

An Act to revise provisions regarding testimony of qualified mental health professionals at involuntary commitment hearings.

I certify that the attached Act originated in the:  
House as Bill No. 1010

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

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

Attest:

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

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

Attest:

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

House Bill No. 1010  
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