

AN ACT

ENTITLED, An Act to revise certain provisions regarding alcohol or drug commitments.

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

Section 1. That § 34-20A-72 be amended to read as follows:

34-20A-72. A petition filed under § 34-20A-70 shall be accompanied by a certificate of a licensed physician or a certified chemical dependency counselor either of whom has examined the person within two days before submission of the petition, unless the person whose commitment is sought has refused to submit to a medical examination or counselor assessment in which case the fact of refusal shall be alleged in the petition. The certificate shall set forth the physician's or the counselor's findings in support of the allegations of the petition. A physician or chemical dependency counselor employed by the admitting facility is not eligible to provide certification.

Section 2. That § 34-20A-76 be amended to read as follows:

34-20A-76. If the person has refused to be examined by a licensed physician or a certified chemical dependency counselor, the person shall be given an opportunity to be examined by a court-appointed licensed physician or certified chemical dependency counselor. If the person refuses and there is sufficient evidence to believe that the allegations of the petition are true, or if the court believes that more evidence is necessary, the court may order a temporary commitment and transportation by a law enforcement officer to an approved treatment facility for a period of not more than five days for purposes of a diagnostic examination.

An Act to revise certain provisions regarding alcohol or drug commitments.

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I certify that the attached Act
originated in the

SENATE as Bill No. 14

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 14

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