

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

400W0158

HOUSE BILL NO. 1012

Introduced by: The Committee on Health and Human Services at the request of the
Department of Social Services

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding child welfare
2 agencies.

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

4 Section 1. That § 26-6-20.4 be amended to read as follows:

5 26-6-20.4. If the amount of money entrusted to a home, center, or facility covered by
6 pursuant to the provisions of §§ 26-6-20.1 to 26-6-20.10, inclusive, exceeds the amount of fifty
7 sixty dollars for any resident, ~~all such moneys~~ any money in excess of ~~this figure~~ that amount
8 shall be deposited in a demand trust account ~~as provided in~~ pursuant to the provisions of § 26-6-
9 20.3.

10 Section 2. That § 26-6-14 be amended to read as follows:

11 26-6-14. A child welfare agency shall be licensed, ~~as provided in~~ pursuant to the provisions
12 of this chapter, for activities which fall within one or more of the following categories:

13 (1) The providing of group care, maintenance, supervision, and protection of children on
14 a regular full-time basis as a substitute for regular parental care, with or without
15 compensation, in a nonfamily group setting, which shall be known as an intensive



1 residential treatment center, a residential treatment center, a group care center, or as
2 a group home as each ~~shall be~~ is defined by standards established pursuant to the
3 provisions of § 26-6-16;

4 (2) The providing of care, maintenance, supervision, and protection of a child, or
5 children, as a substitute for regular parental care, without transfer of legal custody or
6 placement for adoption, with or without compensation, on a regular full-time basis
7 in a family home, which shall be known as a foster home;

8 (3) The providing of group care and supervision of children on a regular basis for part
9 of a day as a supplement to regular parental care, with or without compensation, for
10 twenty-one or more children, including children under the age of six living in the
11 home and children from more than one unrelated family received for day care, in any
12 facility, including a family home, which ~~is~~ shall be known as a day care center;

13 (4) The receiving and placement of children in foster homes or for adoption, with or
14 without compensation, as a regular activity of any agency formed for such purpose,
15 or the performance of such services as an adjunct to other regular activities, ~~and any~~
16 ~~such agency~~ which shall be known as a child-placement agency;

17 (5) ~~The providing of care for pregnant girls or women or the care of a mother and infant~~
18 ~~after birth, with or without compensation. Any agency performing such services shall~~
19 ~~be known as a maternity home;~~

20 ~~(6)~~ The providing of group care and supervision of children on a regular basis for part
21 of a day as a supplement to regular parental care, with or without compensation, for
22 thirteen to twenty children, including children under the age of six living in the home
23 and children from more than one unrelated family received for day care, in any
24 facility, including a family home, which ~~is~~ shall be known as a group family day care

1 home;

2 ~~(7)~~(6) The providing of care and supervision of children on a regular basis before and after
3 regular school hours which does not exceed four hours daily per child, which shall
4 be known as a before and after school day care program;

5 ~~(8)~~(7) The providing of supervision and training in self-sufficiency and responsible
6 independent living for youth aged sixteen through twenty years of age who are wards
7 of the state, which is shall be known as an independent living preparation program.