

AN ACT

ENTITLED, An Act to require that most records and applications regarding a child reference the names and addresses of both parents.

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

Section 1. That § 25-5-7.3 be amended to read as follows:

25-5-7.3. Access to records and information pertaining to a minor child, including, but not limited to, medical, dental, orthodontia, optometric and similar health care, and school records shall be made equally available to both parents. Counseling, psychiatric, psychotherapy, and other records subject to confidentiality or privilege shall only be released in accordance with state and federal law; but, if available to one parent, shall be available to both. The parents shall make reasonable efforts to ensure that the name and address of the other parent is listed on all such records.

Section 2. That chapter 25-5 be amended by adding thereto a NEW SECTION to read as follows:

If either parent enrolls the child in any social, beneficent, religious, or peer group activity, service, benefit, or program for which written application is required, the enrolling parent shall provide the name and address of the other parent on, or supplementary to, the application. The provisions of this section do not apply to any written application for any type of annuity or insurance.

Section 3. That chapter 25-5 be amended by adding thereto a NEW SECTION to read as follows:

The provisions of sections 1 and 2 of this Act do not apply in any case in which a court has:

- (1) Terminated the rights of either parent; or
- (2) Restrained either parent, by court order, from contact with the child.

Moreover, a court of competent jurisdiction may determine that the application of section 1 or 2, or both, of this Act, is inappropriate under the facts and circumstances of any particular case.

An Act to require that most records and applications regarding a child reference the names and addresses of both parents.

=====
I certify that the attached Act
originated in the

HOUSE as Bill No. 1090

Chief Clerk
=====

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1090
File No. _____
Chapter No. _____

=====
Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
=====

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

=====
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