



2024 South Dakota Legislature
House Bill 1087
ENROLLED

AN ACT

ENTITLED An Act to modify the definitions of a child in need of supervision and a delinquent child.

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

Section 1. That § 26-8B-2 be AMENDED:

26-8B-2. For purposes of this chapter, a child in need of supervision is a child:

- (1) Of compulsory school age who is habitually absent from school without legal excuse;
- (2) Who has run away from home or is otherwise beyond the control of the child's parent, guardian, or custodian;
- (3) Whose behavior or condition endangers the child's own welfare or the welfare of others;
- (4) Who has violated any federal or state law or regulation or local ordinance for which there is not a penalty of a criminal nature for an adult, other than a petty offense;
- (5) Who has violated § 32-23-21 or 35-9-2; or
- (6) Who engages in prostitution by offering to engage in sexual activity for a fee or other compensation.

Section 2. That § 26-8C-2 be AMENDED:

26-8C-2. In this chapter and chapter 26-7A, the term "delinquent child" means any child ten years of age or older who, regardless of where the violation occurred, has violated any federal, state, or local law or regulation for which there is a penalty of a criminal nature for an adult, except state or municipal hunting, fishing, boating, park, or traffic laws that are classified as misdemeanors, petty offenses, or any violation of § 32-23-21, 35-9-2, or subdivision 34-46-2(2).

An Act to modify the definitions of a child in need of supervision and a delinquent child.

I certify that the attached Act originated in
the:
House as Bill No. 1087

Received at this Executive Office
this ____ day of _____,
2024 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this ____ day of
_____, A.D., 2024

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2024
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1087
File No. ____
Chapter No. ____

By _____
Asst. Secretary of State