



2020 South Dakota Legislature

Senate Bill 93

Introduced by: **Senator Phil Jensen**

1 **An Act to establish conditions under which a parent may refuse consent for health**
 2 **care services.**

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

4 **Section 1.** That a NEW SECTION be added:

5 **26-8A-2.1. Parental consent to health care--Refusal--Conditions.**

6 Notwithstanding § 26-8A-2, a parent may refuse consent for the provision of any
 7 health care service to a minor child if the parent reasonably believes that the service would
 8 induce, confirm, or promote the child's belief that the child's gender is different from that
 9 which it was at birth or that the gender with which the child identifies is different from
 10 that which it was at birth.

11 Any parent who refuses consent in accordance with this section may not be subject
 12 to liability, to any penalty, or to any legal action for the refusal.

13 For purposes of this section, a health care service means medical treatment,
 14 including psychiatric care, and psychological and counseling services.