

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

940W0134

SENATE BILL NO. 71

Introduced by: Senators Soholt, Haggar (Jenna), and Solano and Representative Gibson at
the request of the Jolene's Law Task Force

1 FOR AN ACT ENTITLED, An Act to continue the Jolene's Law Task Force for an additional
2 year, revise the membership of the task force, and to declare an emergency.

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

4 Section 1. That § 2-6-31 be amended to read as follows:

5 2-6-31. There is hereby created the Jolene's Law Task Force to study the ~~impact of~~ public
6 health issue of sexual abuse of children in this state and to make recommendations to the
7 Legislature on policies to effectively address the issue. The task force shall consist of the
8 following ~~fifteen~~ sixteen members:

9 (1) The President Pro Tempore of the Senate shall appoint two members of the Senate;

10 (2) The Speaker of the House of Representatives shall appoint two members of the
11 House of Representatives;

12 (3) The President Pro Tempore of the Senate shall appoint the following four members:

13 (a) A child abuse pediatrician whose experience and clinical practice is associated
14 with a child advocacy center in the state;

15 (b) A representative associated with a non-profit organization that provides



- 1 training and education aimed at the prevention of sexual abuse of children;
- 2 (c) A representative from a child advocacy center in the state with experience
- 3 serving children who have been subjected to sexual abuse;
- 4 (d) A person who was a victim of sexual abuse as a child;
- 5 (4) The Speaker of the House shall appoint the following four members:
- 6 (a) A representative from a tribal organization in this state with experience and
- 7 training in the area of sexual abuse of children;
- 8 (b) A representative of a law enforcement organization in the state with direct
- 9 experience working with child sexual abuse investigations;
- 10 (c) A victim's advocate who works directly with child victims of sexual abuse;
- 11 and
- 12 (d) A mental health professional with experience and training using trauma
- 13 focused cognitive behavioral therapy in the area of child sexual abuse;
- 14 (5) A representative from the Department of Social Services;
- 15 (6) A representative from the Department of Health;
- 16 (7) A representative from the Department of Education; and
- 17 (8) The Speaker of the House of Representatives and the President Pro Tempore of the
- 18 Senate shall appoint a state's attorney experienced with prosecution and adjudication
- 19 of child sexual abuse cases.

20 Section 2. That § 2-6-32 be amended to read as follows:

21 2-6-32. The ~~initial appointments shall be made no later than July 1, 2014, and membership~~

22 of the task force shall be carried over and the appointment of the state's attorney shall be made

23 no later than seven days after the effective date of this Act. The members of the task force shall

24 serve until January 1, ~~2015~~ 2016, which shall be the end date for the task force. If there is a

1 vacancy on the task force, the vacancy shall be filled in the same manner as the original
2 appointment.

3 Section 3. That § 2-6-33 be amended to read as follows:

4 2-6-33. The task force shall study the ~~impact~~ public health issue of sexual abuse of children
5 in the state and make a report to the Legislature on the prevalence of sexual abuse of children
6 in the state and make policy recommendations to address the following areas:

7 (1) Methods to increase awareness of issues regarding sexual abuse of children,
8 including warning signs that may indicate that a child is the victim of sexual abuse
9 and the actions and language a child may use to express that they are a victim of
10 sexual abuse;

11 (2) The actions that a child who is the victim of sexual abuse could take to obtain
12 assistance and intervention;

13 (3) How to best provide support and assistance to children who are victims of sexual
14 abuse;

15 (4) Policies to encourage adults to take responsibility for the protection of children from
16 sexual abuse and to respond appropriately when sexual abuse of a child is suspected;

17 (5) Collaboration of public and private organizations to assist in the recognition and
18 prevention of sexual abuse of children, using research and evidence based practice;
19 and

20 (6) Any other recommendation the task force deems appropriate in addressing this issue.

21 Section 4. That § 2-6-34 be amended to read as follows:

22 2-6-34. Jolene's Law Task Force shall be under the supervision of the Executive Board of
23 the Legislative Research Council and staffed and funded as an interim legislative committee,
24 not to exceed twenty-one thousand dollars per fiscal year.

1 Section 5. Whereas, this Act is necessary for the immediate preservation of the public peace,
2 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and
3 effect from and after its passage and approval.