



2026 South Dakota Legislature

House Concurrent Resolution

6015

HOUSE JUDICIARY ENGROSSED

Introduced by: Representative Muckey

1 **A CONCURRENT RESOLUTION encouraging the Executive Board of the Legislative
2 Research Council to form an interim legislative committee to study the role
3 and function of county boards of mental illness.**

4 WHEREAS, under statute, county boards of mental illness have jurisdiction over
5 applications or petitions for involuntary commitment, for the treatment of involuntarily
6 committed individuals, and for the safekeeping of involuntarily committed individuals; and

7 WHEREAS, under statute, county boards of mental illness must provide certain information
8 regarding involuntary commitments to the Attorney General for transmittal to the National
9 Instant Criminal Background Check System; and

10 WHEREAS, the best way to ensure the rights, safety, and security of all citizens is through
11 the identification and implementation of pro-active and collaborative problem-solving
12 measures that can be exercised through legal, public health, and public safety systems;

13 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the One Hundred
14 First Legislature of the State of South Dakota, the Senate concurring therein, that the
15 Executive Board of the Legislative Research Council be encouraged to form an interim
16 legislative committee to study the role of county boards of mental illness, the nature and
17 scope of the boards' authority, the efficacy of existing statutory frameworks governing the
18 voluntary and involuntary commitment processes, and how those existing frameworks can
19 beneficially intersect with the information transmittals potentially available through the
20 national instant criminal background check system; and

21 BE IT FURTHER RESOLVED, that the study address training available to individuals who
22 serve on county boards of mental health and opportunities for the standardization of such
23 training; and

1 BE IT FURTHER RESOLVED, that the study involve the perspectives of the Office of the
2 Attorney General, the Unified Judicial System, mental health boards, behavioral health
3 providers, and sheriffs, and that at the conclusion of the study, any findings and
4 recommendations for future legislative action be presented to the Executive Board.