

AN ACT

ENTITLED, An Act to revise certain provisions regarding state laboratory services.

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

Section 1. That § 1-49-1 be repealed.

Section 2. That § 1-49-2 be amended to read:

1-49-2. The State Public Health Laboratory shall be located in the Department of Health and shall meet all required federal certifications and regulations. The laboratory may provide environmental, medical, and forensic toxicology and drug testing for the purpose of protecting and promoting public health and safety.

Section 3. That § 1-49-3 be amended to read:

1-49-3. The State Public Health Laboratory shall:

- (1) Set appropriate performance standards and qualifications of the laboratory employees;
- (2) Administer state and federal laws which pertain to public laboratory licensure, certification, or both; and
- (3) Promulgate rules, pursuant to chapter 1-26, to establish the method to determine the fee for each test or service. The fee may not exceed the cost incurred for performing the test or service, including laboratory operation, equipment, and maintenance.

Section 4. That § 1-49-4 be amended to read:

1-49-4. Any money received pursuant to this chapter shall be deposited in a special revenue fund in the state treasury which is established and designated as the state laboratory fund. All receipts therein shall be available to the State Public Health Laboratory and may be expended pursuant to chapters 4-7, 4-8, and 4-8A.

Section 5. That § 1-49-5 be amended to read:

1-49-5. All examinations, tests, and analysis requested of the State Public Health Laboratory

shall be provided promptly and the results immediately certified to the submitter.

Section 6. That § 1-49-6 be amended to read:

1-49-6. A copy of the results of any examination or analysis of any product or article by the State Public Health Laboratory, duly authenticated by the analyst, is prima facie evidence in all courts of the matters and facts contained in the examination or analysis.

An Act to revise certain provisions regarding state laboratory services.

=====
I certify that the attached Act
originated in the
HOUSE as Bill No. 1012

Chief Clerk
=====

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1012
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