



2024 South Dakota Legislature

House Bill 1237

Introduced by: **Representative** Heermann

1 **An Act to establish provisions related to the rating of books available in school**
 2 **districts.**

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

4 **Section 1. That chapter 13-1 be amended with a NEW SECTION:**

5 Each board of a school district shall ensure that any book newly acquired by the
 6 district, which is made available physically through the district or electronically through a
 7 district portal, is identified with a minimum age-appropriate or grade-appropriate rating if
 8 that book is determined by the board to contain:

9 (1) A description of, or any picture, photograph, drawing, or other visual
 10 representation of serious injury by amputation, decapitation, dismemberment,
 11 mutilation, maiming, or disfigurement, to a human or human-like being;

12 (2) A description of, or any picture, photograph, drawing, or other visual
 13 representation, of masturbation, sexual intercourse, or physical contact in an act
 14 of apparent sexual stimulation or gratification with a person's clothed or unclothed
 15 genitals, pubic area, buttocks, or female breasts;

16 (3) Descriptions of, or references to, suicide, suicidal ideation, or self-harm;

17 (4) Profanity; or

18 (5) Material or a visual representation that is designed or intended to frighten the
 19 reader.

20 **Section 2. That a NEW SECTION be added to chapter 13-1:**

21 On or before September 1, 2026, the board of a school district shall ensure that
 22 each book made available physically through the district or electronically through the
 23 district portal is identified with a minimum age-appropriate or grade-appropriate rating, if
 24 the board determines that the book contains content referenced in section 1 of this Act.

1 **Section 3. That a NEW SECTION be added to chapter 13-1:**

2 The board of a school district shall, by policy, provide for the manner in which the
3 parent or guardian of a student enrolled in the district may request administrative or board
4 review of a book made available physically through the district or electronically through a
5 district portal:

6 (1) That the parent or guardian believes should be identified with a minimum age-
7 appropriate or grade-appropriate rating in accordance with section 1 of this Act; or

8 (2) That has been rated by the board, and the parent or guardian disagrees with the
9 rating.