

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

400R0264

SENATE JUDICIARY ENGROSSED NO. **HB 1047** -
2/23/2010

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: The Committee on Judiciary at the request of the Department of Social Services

1 FOR AN ACT ENTITLED, An Act to clarify certain powers of the state as conservator of a
2 protected person.

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

4 Section 1. That chapter 29A-5 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Notwithstanding any other statutory provision to the contrary, if the State of South Dakota
7 is the conservator of a protected person and if the assets of the conservatorship are less than two
8 thousand dollars, upon the death of the protected person, the conservator may elect to provide
9 notice pursuant to § 29A-5-410 and obtain court approval to pay the debts and distribute the
10 assets of the protected person to the heirs and devisees of the protected person pursuant to
11 chapter 29A-2.

