



2024 South Dakota Legislature

House Bill 1008

Introduced by: The Chair of the Committee on Military and Veterans Affairs at the request of the Department of Veterans Affairs

1 **An Act to modify the eligibility for admission to the state veterans' home and repeal**
 2 **the residency requirement.**

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

4 **Section 1. That § 33A-4-25 be AMENDED:**

5 **33A-4-25.** Any ~~Any~~ veteran, as defined by § 33A-2-1, ~~who has an honorable~~
 6 ~~discharge, who has maintained a residence in the state at any time in the five years~~
 7 ~~preceding the date of the application, and who has no income in excess of one thousand~~
 8 ~~dollars per year above the maximum income limitation for pension benefits as determined~~
 9 ~~by the United States Department of Veterans Affairs, is eligible for admission to the State~~
 10 ~~Veterans' Home. For the purposes of this section, a residence is a physical structure in~~
 11 ~~which a person resides and the term does not include a post office box or address of~~
 12 ~~another mail service purchased by the veteran. A veteran who meets the residence~~
 13 ~~requirements and has a rating of total disability as defined by the United States~~
 14 ~~Department of Veterans Affairs for pension and compensation purposes is also eligible for~~
 15 ~~admission. Membership, is eligible for admission to the State Veterans Home if the veteran~~
 16 ~~is eligible for the payment of per diem for domiciliary care or nursing home care in a state~~
 17 ~~home.~~

18 A veteran domiciled in this state within the past five years shall receive admission
 19 preference, contingent upon the veteran meeting all admission criteria. A veteran who is
 20 a member of a federally recognized Indian tribe shall receive admission preference,
 21 contingent upon the veteran meeting all admission criteria.

22 Residency status at the State ~~Veterans'~~ Veterans Home is not affected because of
 23 a medical leave of absence either in a United States Department of Veterans Affairs facility
 24 or other hospital. ~~Any veteran who is an enrolled member of a federally recognized Indian~~
 25 ~~tribe located wholly or partially in the state meets the residency requirement.~~