

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

267D0022

HOUSE BILL NO. 1046

Introduced by: Representative Munson (Donald) and Senator Paisley

1 FOR AN ACT ENTITLED, An Act to revise the benefit plans that are exempt from execution,
2 attachment, garnishment, seizure, or taking by any legal process.

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

4 Section 1. That § 43-45-17 be amended to read as follows:

5 43-45-17. For the purposes of §§ 43-45-16 to 43-45-18, inclusive, the term, employee
6 benefit plan, means any plan or arrangement that is subject to the provisions of the 29 U.S.C.
7 §§ 1001 through 1461, as amended, and in effect on January 1, ~~1997~~ 2000, or that is described
8 in § 401(a), 403(a), 403(b), 408, 408A, or 409 of the Internal Revenue Code, as amended, and
9 in effect as of January 1, ~~1997~~ 2000. The term, employee benefit plan, does not include any
10 employee benefit plan that is excluded from application pursuant to 29 U.S.C. § 1003(b)(1), as
11 amended, and in effect as of January 1, ~~1997~~ 2000.