

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

400I0315

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1024** - 01/22/2003

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

1 FOR AN ACT ENTITLED, An Act to revise the definition of the periods of service which
2 qualify for veterans benefits.

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

4 Section 1. That § 33-17-2 be amended to read as follows:

5 33-17-2. As used in § 33-17-1, the term, "qualifying military service", means:

- 6 (1) Active duty in the armed forces of the United States for one day or more during the
7 period from April 6, 1917, to November 11, 1918, inclusive;
- 8 (2) Active duty for one day or more during the period from July 28, 1914, to
9 November 11, 1918, inclusive, performed by a citizen of the United States in the
10 armed forces of any nation that was allied with the United States during any part of
11 the period from April 6, 1917, to November 11, 1918, inclusive;
- 12 (3) Active duty in the armed forces of the United States for one day or more during the
13 period from December 7, 1941, to December 31, 1946, inclusive;
- 14 (4) Active duty for one day or more during the period from September 1, 1939, to
15 December 31, 1946, inclusive, performed by a citizen of the United States in the



1 armed forces of any nation that was allied with the United States during any part of
2 the period from December 7, 1941, to December 31, 1946, inclusive;

3 (5) Active duty in the armed forces of the United States for one day or more during the
4 period from June 25, 1950, to May 7, 1975, inclusive;

5 (6) Active duty in the armed forces of the United States for one day or more during the
6 period from August 2, 1990, to ~~March 3, 1991~~ June 30, 2004, inclusive;

7 (7) Active duty in the armed forces of the United States for one day or more in a military
8 action for which the veteran earned an armed forces expeditionary medal, southwest
9 Asia service medal or other United States campaign or service medal awarded for
10 participation outside the boundaries of the United States in combat operations against
11 hostile forces; or

12 (8) Active duty in the armed forces of the United States for one day or more if the
13 veteran has established the existence of a service-connected disability.

14 ~~Any reserve or national guard personnel who have served~~ Service on active duty by any
15 reserve or national guard personnel for training ~~shall~~ may not be construed ~~thereby to have~~
16 served as service on active duty, unless the veterans' commission determines, by rules
17 promulgated pursuant to chapter 1-26, that such training involved the person in direct
18 participation in or direct support of combat operations against a hostile force.