

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

633I0625

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **SB 123** - 02/27/2003

Introduced by: Senators Koskan, Apa, Dennert, Duniphan, LaPointe, and Olson (Ed) and  
Representatives Juhnke and McCaulley

1 FOR AN ACT ENTITLED, An Act to revise the definition of residence for registration  
2 purposes.

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

4 Section 1. That § 12-1-4 be amended to read as follows:

5 12-1-4. For the purposes of this title, "~~residence~~" shall be the term, residence, means the  
6 place in which a person has fixed his or her habitation and to which, ~~whenever he is absent, he~~  
7 ~~has the intention of returning~~ the person, whenever absent, intends to return.

8 A person who has left ~~his~~ home and gone into another state or territory or county of this  
9 state for a temporary purpose only ~~shall not be considered to have lost his~~ has not changed his  
10 or her residence.

11 A person ~~shall be~~ is considered to have gained a residence in any county or municipality of  
12 this state in which ~~he~~ the person actually lives, ~~providing such~~ if the person has no present  
13 intention ~~to remove himself therefrom~~ of leaving and has actually resided in South Dakota for  
14 at least thirty consecutive days.

15 If a person moves to another state, or to any of the other territories, with the intention of



- 1 making it his or her permanent home, ~~he shall be considered to have lost his~~ the person thereby
- 2 loses residence in this state.