

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

388L0221

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **SB 76** - 02/16/2005

Introduced by: Senator Bogue and Representative Deadrick

1 FOR AN ACT ENTITLED, An Act to codify legislation enacted in 2004.

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

3 Section 1. That § 2-16-13 be amended to read as follows:

4 2-16-13. The official code of laws of the State of South Dakota, which may be referred to  
5 as the code, consists of all the statutes of a general and permanent nature contained in:

6 (1) The ~~1978~~ 2004 revision of volume 1;

7 ~~(2A)~~(2) The ~~2003~~ 2004 revision of volume ~~2A~~ 2;

8 ~~(2B)~~(3) The ~~1994~~ 2004 revision of volume ~~2B~~ 3;

9 ~~(3A)~~(4) The ~~1993~~ 2004 revision of volume ~~3A~~ 4;

10 ~~(3B)~~(5) The ~~1995~~ 2004 revision of volume ~~3B~~ 5;

11 ~~(4A)~~(6) The ~~1996~~ 2004 revision of volume ~~4A~~ 6;

12 ~~(4B)~~(7) The ~~1995~~ 2004 revision of volume ~~4B~~ 7;

13 ~~(5)~~(8) The ~~2002~~ 2004 revision of volume ~~5~~ 8;

14 ~~(6)~~(9) The ~~2001~~ 2004 revision of volume ~~6~~ 9;

15 ~~(7A)~~(10) The ~~1995~~ 2004 revision of volume ~~7A~~ 10;



- 1      ~~(7B)~~(11)      The ~~1987~~ 2004 revision of volume ~~7B~~ 11;
- 2      ~~(8A)~~(12)      The ~~1998~~ 2004 revision of volume ~~8A~~ 12;
- 3      ~~(8B)~~(13)      The ~~1998~~ 2004 revision of volume ~~8B~~ 13;
- 4      ~~(9A)~~(14)      The ~~1999~~ 2004 revision of volume ~~9A~~ 14;
- 5      ~~(9B)~~(15)      The ~~1997~~ 2004 revision of volume ~~9B~~ 15;
- 6      ~~(10A)~~(16)     The ~~1984~~ 2004 revision of volume ~~10A~~ 16;
- 7      ~~(10B)~~(17)     The ~~2002~~ 2004 revision of volume ~~10B~~ 17;
- 8      ~~(11A)~~(18)     The ~~1994~~ 2004 revision of volume ~~11A~~ 18;
- 9      ~~(11B)~~(19)     The ~~1999~~ 2004 revision of volume ~~11B~~ 19;
- 10     ~~(11C)~~(20)     The ~~2003~~ 2004 revision of volume ~~11C~~ 20;
- 11     ~~(12A)~~(21)     The ~~1996~~ 2004 revision of volume ~~12A~~ 21;
- 12     ~~(12B)~~(22)     The ~~2002~~ 2004 revision of volume ~~12B~~ 22;
- 13     ~~(13A)~~(23)     The ~~1997~~ 2004 revision of volume ~~13A~~ 23;
- 14     ~~(13B)~~(24)     The ~~1999~~ 2004 revision of volume ~~13B~~ 24;
- 15     ~~(14A)~~(25)     The ~~2000~~ 2004 revision of volume ~~14A~~ 25;
- 16     ~~(14B)~~(26)     The ~~2003~~ 2004 revision of volume ~~14B~~ 26;
- 17     ~~(15A)~~(27)     The ~~1990~~ 2004 revision of volume ~~15A~~ 27;
- 18     ~~(15B)~~(28)     The ~~2001~~ 2004 revision of volume ~~15B~~ 28;
- 19     ~~(16A)~~(29)     The ~~2000~~ 2004 revision of volume ~~16A~~ 29;
- 20     ~~(16B)~~(30)     The ~~1993~~ 2004 revision of volume ~~16B~~ 30;
- 21     (31)    The 2004 revision of volume 31;
- 22     (32)    The 2004 revision of volume 32;
- 23     (33)    The 2004 revision of volume 33;
- 24     (34)    The 2004 revision of volume 34;

1       ~~(17)(35)~~     The ~~2001~~ 2004 revision of the Parallel Tables volume; and

2     ~~(18)~~ ~~The 2003 pocket supplements; and~~

3       ~~(19)(36)~~     The ~~November 2003 Advance Code~~ December 2004 Interim Annotation  
4                     Service of the South Dakota Codified Laws beginning with Title 1, chapter 1-1  
5                     and ending with Title 62, chapter 62-9.

6       Section 2. That § 2-16-15 be amended to read as follows:

7       2-16-15. No provision of the code enacted by § 2-16-13, as to which any action or  
8     proceeding, civil or criminal, has been commenced prior to July 1, ~~2004~~ 2005, to determine  
9     whether or not such provision was constitutionally enacted, is validated by the enactment of this  
10    code.

11     The enactment of the code:

- 12     (1)   Does not affect the validity of any transaction;
- 13     (2)   Does not impair the curative or legalizing effect of any statute; and
- 14     (3)   Does not release or extinguish any penalty, confiscation, forfeiture, or liability; which  
15           accrued, occurred, or took effect prior to the time the code took effect.

16     Section 3. That § 2-16-16 be amended to read as follows:

17     2-16-16. All statutes, other than this code, enacted at the ~~2004~~ 2005 session of the  
18    Legislature shall be deemed to have been enacted subsequently to the enactment of this code.  
19    If any such statute repeals, amends, contravenes, or is inconsistent with the provisions of this  
20    code, the provisions of the statute shall prevail. Any enactment in the ~~2004~~ 2005 session of the  
21    Legislature which cites South Dakota Codified Laws for the purpose of amendment or repeal,  
22    shall be construed as having reference to the code enacted by § 2-16-13.