

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

685S0228

## HOUSE BILL NO. 1004

Introduced by: The Committee on Judiciary at the request of the Code Commission

1 FOR AN ACT ENTITLED, An Act to codify the legislation enacted in 2010.

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 2004 revision of volume 1;

7 (2) The 2004 revision of volume 2;

8 (3) The 2004 revision of volume 3;

9 (4) The 2004 revision of volume 4;

10 (5) The 2004 revision of volume 5;

11 (6) The 2004 revision of volume 6;

12 (7) The ~~2004~~ 2010 revision of volume 7;

13 (8) The 2004 revision of volume 8;

14 (9) The 2004 revision of volume 9;

15 (10) The 2004 revision of volume 10;



- 1 (11) The 2004 revision of volume 11;
- 2 (12) The 2004 revision of volume 12;
- 3 (13) The 2004 revision of volume 13;
- 4 (14) The 2006 revision of volume 14;
- 5 (15) The 2004 revision of volume 15;
- 6 (16) The 2004 revision of volume 16;
- 7 (17) The 2004 revision of volume 17;
- 8 (18) The 2004 revision of volume 18;
- 9 (19) The 2004 revision of volume 19;
- 10 (20) The 2004 revision of volume 20;
- 11 (21) The 2004 revision of volume 21;
- 12 (22) The 2004 revision of volume 22;
- 13 (23) The 2004 revision of volume 23;
- 14 (24) The 2004 revision of volume 24;
- 15 (25) The 2004 revision of volume 25;
- 16 (26) The 2004 revision of volume 26;
- 17 (27) The 2007 revision of volume 27;
- 18 (28) The 2004 revision of volume 28;
- 19 (29) The 2004 revision of volume 29;
- 20 (30) The 2004 revision of volume 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 2009 revision of volume 34;

1 (35) The 2004 revision of the Parallel Tables volume;

2 (36) The December ~~2009~~ 2010 Interim Annotation Service of the South Dakota Codified  
3 Laws beginning with Title 1, chapter 1-1 and ending with Title 62, chapter 62-9; and

4 (37) The ~~2009~~ 2010 cumulative annual pocket parts and supplementary pamphlet.

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

6 2-16-15. No provision of the code enacted by § 2-16-13, as to which any action or  
7 proceeding, civil or criminal, has been commenced prior to July 1, ~~2010~~ 2011, to determine  
8 whether or not such provision was constitutionally enacted, is validated by the enactment of this  
9 code.

10 The enactment of the code:

11 (1) Does not affect the validity of any transaction;

12 (2) Does not impair the curative or legalizing effect of any statute; and

13 (3) Does not release or extinguish any penalty, confiscation, forfeiture, or liability; which  
14 accrued, occurred, or took effect prior to the time the code took effect.

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

16 2-16-16. All statutes, other than this code, enacted at the ~~2010~~ 2011 session of the  
17 Legislature shall be deemed to have been enacted subsequently to the enactment of this code.

18 If any such statute repeals, amends, contravenes, or is inconsistent with the provisions of this  
19 code, the provisions of the statute shall prevail. Any enactment in the ~~2010~~ 2011 session of the

20 Legislature which cites South Dakota Codified Laws for the purpose of amendment or repeal,  
21 shall be construed as having reference to the code enacted by § 2-16-13.