

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

840Q0708

## SENATE BILL NO. 166

Introduced by: Senator Maher and Representatives Olson (Betty), Feickert, Greenfield,  
Kirkeby, Lange, and Schrempp

1 FOR AN ACT ENTITLED, An Act to restrict the deactivation or relocation of certain National  
2 Guard units.

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

4 Section 1. That § 33-3-8 be amended to read as follows:

5 33-3-8. The Governor may determine and fix the location of the units and headquarters of  
6 the South Dakota National Guard. However, no organization of the National Guard whose  
7 members are entitled to and have received compensation under the provisions of any act of  
8 Congress may be disbanded without the consent of the President. The commissioned or enlisted  
9 strength of any such organization may not be reduced below the minimum prescribed for the  
10 organization by the President without the consent of the President. No unit or detachment of the  
11 South Dakota National Guard in operation on July 1, 2008, may be deactivated or relocated if  
12 the deactivation or relocation would cause the community in which the unit or detachment is  
13 located to be farther than eighty miles from any other unit or detachment of the South Dakota  
14 National Guard, unless another unit or detachment is established in or transferred into the  
15 community.

