

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

400T0248

HOUSE ENGROSSED NO. **HB 1049** - 1/24/2012

Introduced by: The Committee on Judiciary at the request of the Department of the Military

1 FOR AN ACT ENTITLED, An Act to add certain definitions regarding the Department of the
2 Military.

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

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

5 33-1-1. ~~As~~ Terms used in chapters 33-1 to 33-15, inclusive, ~~unless the context otherwise~~
6 ~~plainly requires~~ mean:

7 (1) "Armed forces," includes the United States Army, the United States Navy, the United
8 States Marine Corps, and the United States Air Force;

9 (2) "Department of Defense," ~~means~~ the Department of Defense, the Department of the
10 Army, Department of the Navy, or the Department of the Air Force, as appropriate
11 under the laws of the United States; ~~and~~

12 (3) "Secretary of defense," ~~means~~ the secretary of defense, the secretary of the army, the
13 secretary of the navy, or the secretary of the air force, as appropriate under the laws
14 of the United States;

15 (4) "Servicemember," any member serving in an active duty status in the armed forces



1 of the United States, National Guard, or the Reserves;

2 (5) "Active duty," service pursuant to United States Code Title 10 or full-time National
3 Guard duty pursuant to United States Code Title 32 § 502(f)(2) as of January 1, 2012,
4 for the purpose of homeland defense operations or for state active duty pursuant to
5 § 33-9-1; and

6 (6) "Deployment," the temporary transfer of a servicemember serving in active duty
7 status to a location other than the servicemember's normal place of duty or residence
8 in support of combat or military operations. The term includes the mobilization of
9 a National Guard or Reserve servicemember to extended active duty status at any
10 continental United States installation in support of military operations. The term does
11 not include National Guard or Reserve annual training.