



## 2021 South Dakota Legislature

# Senate Bill 1

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

1 **An Act to codify legislation enacted in 2020.**

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

3 **Section 1.** That § 2-16-13 be AMENDED.

4 **2-16-13. Publications constituting official code.**

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

- 7 (1) The 2018 revision of volume 1;
- 8 (2) The 2012 revision of volume 2;
- 9 (3) The 2013 revision of volume 3;
- 10 (4) The 2004 revision of volume 4;
- 11 (5) The 2004 revision of volume 5;
- 12 (6) The ~~2004~~2020 revision of volume 6;
- 13 (7) The ~~2010~~2020 revision of volume 7;
- 14 (8) The 2018 revision of volume 8;
- 15 (9) The 2018 revision of volume 9;
- 16 (10) The 2014 revision of volume 10;
- 17 (11) The 2014 revision of volume 10A;
- 18 (12) The 2014 revision of volume 11;
- 19 (13) The 2016 revision of volume 12;
- 20 (14) The 2004 revision of volume 13;
- 21 (15) The 2017 revision of volume 14;
- 22 (16) The 2016 revision of volume 15;
- 23 (17) The 2013 revision of volume 16;
- 24 (18) The 2016 revision of volume 17;
- 25 (19) The 2004 revision of volume 18;
- 26 (20) The 2011 revision of volume 19;

- 1 (21) The 2011 revision of volume 19A;  
 2 (22) The 2011 revision of volume 20;  
 3 (23) The 2013 revision of volume 21;  
 4 (24) The 2015 revision of volume 22;  
 5 (25) The 2015 revision of volume 22A;  
 6 (26) The 2004 revision of volume 23;  
 7 (27) The 2004 revision of volume 24;  
 8 (28) The 2004 revision of volume 25;  
 9 (29) The 2004 revision of volume 26;  
 10 (30) The 2007 revision of volume 27;  
 11 (31) The 2004 revision of volume 28;  
 12 (32) The 2017 revision of volume 29;  
 13 (33) The 2012 revision of volume 30;  
 14 (34) The 2012 revision of volume 31;  
 15 (35) The 2019 revision of volume 32;  
 16 (36) The 2019 revision of volume 33;  
 17 (37) The 2015 revision of volume 34;  
 18 (38) The 2004 revision of the Parallel Tables volume;  
 19 (39) The December ~~2019-2020~~ Interim Annotation-Update Service of the South Dakota  
 20 Codified Laws beginning with Title 1, chapter 1-1 and ending with Title 62, chapter  
 21 62-9; and  
 22 (40) The ~~2019-2020~~ cumulative annual pocket parts and supplementary pamphlet.

23 **Section 2.** That § 2-16-15 be AMENDED.

24 **2-16-15. Invalid laws not validated by codification.**

25 No provision of the code enacted by § 2-16-13, as to which any action or  
 26 proceeding, civil or criminal, has been commenced prior to July 1, ~~2020-2021~~, to  
 27 determine whether or not such provision was constitutionally enacted, is validated by the  
 28 enactment of this code.

29 The enactment of the code:

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

1 **Section 3.** That § 2-16-16 be AMENDED.

2 **2-16-16. Statutes enacted at latest legislative session prevail over code--**

3 **Citation of codified laws.**

4 All statutes, other than this code, enacted at the ~~2020~~ 2021 session of the  
5 Legislature shall be deemed to have been enacted subsequently to the enactment of this  
6 code. If any statute repeals, amends, contravenes, or is inconsistent with the provisions  
7 of this code, the provisions of the statute shall prevail. Any enactment in the ~~2020~~ 2021  
8 session of the Legislature that cites South Dakota Codified Laws for the purpose of  
9 amendment or repeal shall be construed as having reference to the code enacted by § 2-  
10 16-13.