

2023 South Dakota Legislature

House Bill 1037**AMENDMENT 1037A
FOR THE INTRODUCED BILL**

1 **An Act to amend the eligibility for admission to the state veterans' home and repeal**
2 **the residency requirement.**

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

4 **Section 1. That § 33A-4-25 be AMENDED:**

5 **33A-4-25.** ~~Any A~~ veteran, as defined by § 33A-2-1, ~~is eligible for admission to the~~
6 ~~state veterans home if the veteran: who has an honorable discharge, who has maintained~~
7 ~~a residence in the state at any time in the five years preceding the date of the application,~~
8 ~~and who has no income in excess of one thousand dollars per year above the maximum~~
9 ~~income limitation for pension benefits as determined by the United States Department of~~
10 ~~Veterans Affairs, is eligible for admission to the State Veterans' Home~~

11 (1) Is eligible for per diem payment for domiciliary care or nursing home care in a state
12 veterans home;

13 (2) Has no adequate means of support, as determined by the United States
14 Department of Veterans Affairs; or

15 (3) Has a rating of total disability as defined by the United States Department of
16 Veterans Affairs for pension and compensation purposes.

17 A veteran who was domiciled in the state ~~or in a federally recognized Tribe in this~~
18 state at any time in the five years preceding the date of application must receive
19 preference for admission. For the purposes of this section, a residence is a physical
20 structure in which a person resides and the term does not include a post office box or
21 address of another mail service purchased by the veteran. A veteran who meets the
22 residence requirements and has a rating of total disability as defined by the United States
23 Department of Veterans Affairs for pension and compensation purposes is also eligible for
24 admission.

25 Membership~~Residency~~ status at the State Veterans' Home is not affected because
26 of a medical leave of absence either in a United States Department of Veterans Affairs

- 1 facility or other hospital. ~~Any veteran who is an enrolled member of a federally recognized~~
2 ~~Indian tribe located wholly or partially in the state meets the residency requirement.~~

AMENDMENT