



2024 South Dakota Legislature

House Bill 1008

HOUSE MILITARY AND VETERANS AFFAIRS ENGROSSED

Introduced by: The Chair of the Committee on Military and Veterans Affairs at the request of the Department of Veterans Affairs

1 **An Act to modify 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, ~~who has an honorable~~
 6 ~~discharge, who has maintained a residence in the state at any time in the five years~~
 7 ~~preceding the date of the application, and who has no income in excess of one thousand~~
 8 ~~dollars per year above the maximum income limitation for pension benefits as determined~~
 9 ~~by the United States Department of Veterans Affairs, is eligible for admission to the State~~
 10 ~~Veterans' Home. For the purposes of this section, a residence is a physical structure in~~
 11 ~~which a person resides and the term does not include a post office box or address of~~
 12 ~~another mail service purchased by the veteran. A veteran who meets the residence~~
 13 ~~requirements and has a rating of total disability as defined by the United States~~
 14 ~~Department of Veterans Affairs for pension and compensation purposes is also eligible for~~
 15 ~~admission. Membership, is eligible for admission to the State Veterans Home if the veteran~~
 16 ~~is eligible for the payment of per diem for domiciliary care or nursing home care in a state~~
 17 ~~home.~~

18 A veteran domiciled in this state within the past five years shall receive admission
 19 preference, contingent upon the veteran meeting all admission criteria. A veteran who is
 20 a member of a federally recognized Indian tribe located wholly or partially within the state
 21 shall receive admission preference, contingent upon the veteran meeting all admission
 22 criteria.

23 Residency status at the State ~~Veterans'~~ Veterans Home is not affected because of
 24 a medical leave of absence either in a United States Department of Veterans Affairs facility
 25 or other hospital. ~~Any veteran who is an enrolled member of a federally recognized Indian~~
 26 ~~tribe located wholly or partially in the state meets the residency requirement.~~