



2026 South Dakota Legislature

House Bill 1228

Introduced by: **Representative Weems**

1 **An Act to provide a stipend to certain members of the National Guard who donate**
 2 **an organ for the purpose of transplantation to another individual.**

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

4 **Section 1. That a NEW SECTION be added to chapter 33-7:**

5 If a member of the National Guard donates the member's organ for the purpose of
 6 transplantation to another individual, the Department of the Military must pay a stipend
 7 to the member.

8 If the member has an operation recovery time of two weeks or less, as certified by
 9 a licensed medical practitioner, the stipend must equal fifty percent of the member's
 10 active-duty basic monthly pay. If the member has a recovery time of more than two
 11 weeks, as certified by a licensed medical practitioner, the stipend must equal one hundred
 12 fifty percent of the member's active-duty basic monthly pay.

13 To be eligible for the stipend, the member shall:

- 14 (1) Follow all procedures and protocols established by the National Guard regarding
 15 the donation of an organ by a member;
 16 (2) At least one month prior to the organ procurement operation, provide the
 17 Department of the Military notice of the member's intent to donate the organ; and
 18 (3) Undergo the organ procurement operation at a transplant hospital, as defined in
 19 § 34-26-49.

20 A member qualifies for a stipend only if the member does not receive living donor
 21 paid leave from the member's employer.