

2026 South Dakota Legislature

Draft 1068

Requested by: at the request of the Code Commission

1 **An Act to update the official code of laws.**

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

- 7 (1) The 2018 revision of volume 1;
- 8 (2) The 2021 revision of volume 2;
- 9 (3) The 2021 revision of volume 2A;
- 10 (4) The 2021 revision of volume 3;
- 11 (5) The 2004 revision of volume 4;
- 12 (6) The 2004 revision of volume 5;
- 13 (7) The 2020 revision of volume 6;
- 14 (8) The 2020 revision of volume 7;
- 15 (9) The 2018 revision of volume 8;
- 16 (10) The 2018 revision of volume 9;
- 17 (11) The 2014 revision of volume 10;
- 18 (12) The 2014 revision of volume 10A;
- 19 (13) The 2014 revision of volume 11;
- 20 (14) The 2016 revision of volume 12;
- 21 (15) The 2004 revision of volume 13;
- 22 (16) The ~~2017~~ 2026 revision of volume 14;
- 23 (17) The 2026 revision of volume 14A
- 24 ~~(18)~~ The 2016 revision of volume 15;
- 25 ~~(18)~~(19) The 2024 revision of volume 16;
- 26 ~~(19)~~(20) The 2016 revision of volume 17;
- 27 ~~(20)~~(21) The 2024 revision of volume 18;
- 28 ~~(21)~~(22) The 2011 revision of volume 19;
- 29 ~~(22)~~(23) The 2011 revision of volume 19A;

- 1 ~~(23)~~(24) The 2025 revision of volume 20;
2 ~~(24)~~(25) The 2025 revision of volume 20A;
3 ~~(25)~~(26) The 2013 revision of volume 21;
4 ~~(26)~~(27) The ~~2015~~ 2026 revision of volume 22;
5 ~~(27)~~(28) The ~~2015~~ 2026 revision of volume 22A;
6 ~~(28)~~(29) The 2022 revision of volume 23;
7 ~~(29)~~(30) The 2022 revision of volume 24;
8 ~~(30)~~(31) The 2004 revision of volume 25;
9 ~~(31)~~(32) The 2022 revision of volume 26;
10 ~~(32)~~(33) The 2007 revision of volume 27;
11 ~~(33)~~(34) The 2004 revision of volume 28;
12 ~~(34)~~(35) The 2017 revision of volume 29;
13 ~~(35)~~(36) The 2025 revision of volume 30;
14 ~~(36)~~(37) The 2025 revision of volume 31;
15 ~~(37)~~(38) The 2019 revision of volume 32;
16 ~~(38)~~(39) The 2019 revision of volume 33;
17 ~~(39)~~(40) The 2015 revision of volume 34;
18 ~~(40)~~(41) The 2004 revision of the Parallel Tables volume;
19 ~~(41)~~(42) The December ~~2025~~ 2026 Interim 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 ~~(42)~~(43) The ~~2025~~ 2026 cumulative annual pocket parts.

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

24 **2-16-15.** No provision of the code enacted by § 2-16-13, as to which any action
25 or proceeding, civil or criminal, has been commenced prior to July 1, ~~2026~~ 2027, to
26 determine whether or not the provision was constitutionally enacted, is validated by the
27 enactment of the code.

28 The enactment of the code:

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

33 **Section 3. That § 2-16-16 be AMENDED:**

1 **2-16-16.** All statutes enacted at the ~~2026~~ 2027 session of the Legislature, other
2 than the code enacted by § 2-16-13, are deemed to have been enacted subsequent to the
3 enactment of the code. If any statute repeals, amends, contravenes, or is inconsistent
4 with the provisions of the code, the provisions of the statute prevail. Any enactment in
5 the ~~2026~~ 2027 session of the Legislature that cites South Dakota Codified Laws for the
6 purpose of amendment or repeal must be construed as having reference to the code
7 enacted by § 2-16-13.

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