



2020 South Dakota Legislature

House Bill 1164

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

1 **An Act to codify legislation enacted in 2019.**

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 revision of volume 6;
- 13 (7) The 2010 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 ~~2004-2019~~ revision of volume 32;
16 (36) The ~~2004-2019~~ 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 ~~2018-2019~~ Interim Annotation Service of the South Dakota Codified
20 Laws beginning with Title 1, chapter 1-1 and ending with Title 62, chapter 62-9;
21 and
22 (40) The ~~2018-2019~~ 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, ~~2019~~ 2020, 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 ~~2019-2020~~ 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 ~~2019-2020~~
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.