

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

904E0797

## HOUSE BILL NO. 1259

Introduced by: Representatives Van Norman, Kloucek, and Valandra and Senator  
Hutmacher

1 FOR AN ACT ENTITLED, An Act to allow for nursing facilities to be constructed on Indian  
2 reservations under certain circumstances.

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

4 Section 1. Notwithstanding the provisions of §§ 34-12-35.3 and 34-12-39.1, a new nursing  
5 facility as defined in § 34-12-1.1 may be constructed, operated, and maintained in an area if the  
6 facility is to be located on an Indian reservation and is required to serve a local population  
7 previously unserved through lack of vacancies in facilities within a forty-five-mile radius. No  
8 more than one such nursing facility may be located within the same Indian reservation, and the  
9 number of beds in the nursing facility may not exceed fifty.