

**House  
Daily Reader**

**Wednesday, January 16, 2002**

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# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

883H0303

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1005** - 01/14/2002

Introduced by: Representative McCaulley and Senator Bogue

1 FOR AN ACT ENTITLED, An Act to codify legislation enacted in 2001.

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

3 Section 1. That § 2-16-13 be amended to read as follows:

4 2-16-13. The official code of laws of the State of South Dakota, which may be referred to  
5 as the code, consists of all the statutes of a general and permanent nature contained in:

6 (1) The 1978 revision of volume 1;

7 (2A) The 1992 revision of volume 2A;

8 (2B) The 1994 revision of volume 2B;

9 (3A) The 1993 revision of volume 3A;

10 (3B) The 1995 revision of volume 3B;

11 (4A) The 1996 revision of volume 4A;

12 (4B) The 1995 revision of volume 4B;

13 (5) The 1991 revision of volume 5;

14 (6) The ~~1984~~ 2001 revision of volume 6;

15 (7A) The 1995 revision of volume 7A;



- 1 (7B) The 1987 revision of volume 7B;
- 2 (8A) The 1998 revision of volume 8A;
- 3 (8B) The 1998 revision of volume 8B;
- 4 (9A) The 1999 revision of volume 9A;
- 5 (9B) The 1997 revision of volume 9B;
- 6 (10A) The 1984 revision of volume 10A;
- 7 (10B) The 1998 revision of volume 10B;
- 8 (11A) The 1994 revision of volume 11A;
- 9 (11B) The 1999 revision of volume 11B;
- 10 (11C) The 2000 revision of volume 11C;
- 11 (12A) The 1996 revision of volume 12A;
- 12 (12B) The 1991 revision of volume 12B;
- 13 (13A) The 1997 revision of volume 13A;
- 14 (13B) The 1999 revision of volume 13B;
- 15 (14A) The 2000 revision of volume 14A;
- 16 (14B) The 1993 revision of volume 14B;
- 17 (15A) The 1990 revision of volume 15A;
- 18 (15B) The ~~1997~~ 2001 revision of volume 15B;
- 19 (16A) The 2000 revision of volume 16A;
- 20 (16B) The 1993 revision of volume 16B;
- 21 (17) The ~~1989~~ 2001 revision of the Parallel Tables volume;
- 22 (18) The ~~2000~~ 2001 pocket supplements; and
- 23 (19) The November ~~2000~~ 2001 Advance Code Service of the South Dakota Codified Laws
- 24 beginning with Title 1, chapter 1-1 and ending with Title 62, chapter 62-9.

1 Section 2. That § 2-16-15 be amended to read as follows:

2 2-16-15. No provision of the code enacted by § 2-16-13, as to which any action or  
3 proceeding, civil or criminal, has been commenced prior to July 1, ~~2001~~ 2002, to determine  
4 whether or not such provision was constitutionally enacted, is validated by the enactment of this  
5 code.

6 The enactment of the code:

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

11 Section 3. That § 2-16-16 be amended to read as follows:

12 2-16-16. All statutes, other than this code, enacted at the ~~2001~~ 2002 session of the  
13 Legislature shall be deemed to have been enacted subsequently to the enactment of this code. If  
14 any such statute repeals, amends, contravenes, or is inconsistent with the provisions of this code,  
15 the provisions of the statute shall prevail. Any enactment in the ~~2001~~ 2002 session of the  
16 Legislature which cites South Dakota Codified Laws for the purpose of amendment or repeal,  
17 shall be construed as having reference to the code enacted by § 2-16-13.

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

400H0221

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

**HB 1011** - 01/14/2002

Introduced by: The Committee on Judiciary at the request of the Department of Social Services

1 FOR AN ACT ENTITLED, An Act to revise the method by which a withholding order may be  
2 served for the purpose of collecting child support.

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

4 Section 1. That § 25-7A-30 be amended to read as follows:

5 25-7A-30. The department shall enter and serve the order for withholding on the payor, its  
6 superintendent, manager, or other agent, by certified mail, first class mail, or personal delivery.

7 A copy of the order shall be mailed to the obligor at the obligor's last known post office address.

8 The order for withholding shall be entered whether or not the order for support contains a  
9 provision for withholding of income or property. The provisions of §§ 25-7A-45 and 25-7A-46

10 do not apply unless the payor has been served by certified mail or personal delivery.

11 Section 2. That § 25-7A-39 be amended to read as follows:

12 25-7A-39. The department shall serve on the payor, by certified mail, first class mail, or

13 personal delivery, a copy of any order entered pursuant to this chapter that affects the duties of

14 the payor. The provisions of §§ 25-7A-45 and 25-7A-46 do not apply unless the payor has been



1 served by certified mail or personal delivery.

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

400H0259

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1049** - 01/14/2002

Introduced by: The Committee on State Affairs at the request of the Bureau of  
Administration

1 FOR AN ACT ENTITLED, An Act to authorize the use of online reverse auctions for state  
2 purchases.

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

4 Section 1. Terms used in this Act mean:

5 (1) "Reverse auction," a purchasing process in which bidders submit bids in competing  
6 to sell supplies or services in an open environment via the internet;

7 (2) "Internet," the international computer network of both federal and nonfederal  
8 interoperable packet switched data networks, including the graphical subnetwork  
9 called the world wide web.

10 Section 2. That chapter 5-23 be amended by adding thereto a NEW SECTION to read as  
11 follows:

12 Notwithstanding the provisions of this chapter, the Bureau of Administration may purchase  
13 supplies or services by online reverse auction. The Bureau of Administration shall promulgate  
14 rules, pursuant to chapter 1-26, to establish procedures pursuant to this section.

