

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

273N0440

HOUSE BILL NO. 1202

Introduced by: Representatives Gillespie, Elliott, and Halverson and Senators Hanson (Gary), Bartling, Maher, and Peterson (Jim)

1 FOR AN ACT ENTITLED, An Act to provide for the notification of certain members of the
2 armed forces concerning screening for exposure to depleted uranium.

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

4 Section 1. Terms used in this Act mean:

5 (1) "Depleted uranium," uranium containing less uranium-235 than the naturally
6 occurring distribution of uranium isotopes;

7 (2) "Eligible member," a member who served in Bosnia or Kosovo or in the Persian Gulf
8 War, as defined in 38 USC 101, as amended to January 1, 2007, or in an area
9 designated as a combat zone by the President of the United States during Operation
10 Enduring Freedom or Operation Iraqi Freedom;

11 (3) "Member of the armed forces" or "member," a member of the armed forces of the
12 United States, including the South Dakota National Guard, who is a resident of this
13 state;

14 (4) "Veteran," a veteran as defined in § 33-17-1 who served as an eligible member.

15 Section 2. After September 30, 2007, any eligible member or veteran who returns or has



1 returned to this state after service in an area designated as a combat zone by the President of the
2 United States and who has been assigned a risk level I or II for depleted uranium exposure by
3 the member's or veteran's branch or service, or any other member or veteran who has reason to
4 believe that the member or veteran was exposed to depleted uranium during such service, shall
5 be informed, upon request, of the member's or veteran's right to a medical evaluation for
6 exposure to depleted uranium to be conducted at the nearest United States Department of
7 Veterans Affairs medical facility. The Department of Military and Veterans Affairs shall
8 promulgate rules pursuant to chapter 1-26 to provide for the notification of members and
9 veterans required pursuant to this Act.

10 Section 3. Before January 1, 2008, the adjutant general of the South Dakota National Guard
11 shall submit a report to the Legislature on the scope and adequacy of training received by
12 members of the armed forces on detecting whether their service as eligible members is likely
13 to entail, or to have entailed, exposure to depleted uranium. The report shall include an
14 assessment of the feasibility and cost of adding predeployment training concerning potential
15 exposure to depleted uranium and other toxic chemical substances and the precautions
16 recommended under combat and noncombat conditions while in a combat zone.