

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

273N0440

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1202** - 01/31/2007

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 shall be informed by first class mail of the member's
4 or veteran's right to a medical evaluation for exposure to depleted uranium to be conducted at
5 the nearest United States Department of Veterans Affairs medical facility. The Department of
6 Military and Veterans Affairs shall promulgate rules pursuant to chapter 1-26 to provide for the
7 notification of members and veterans required pursuant to this Act.

8 Section 3. Before January 1, 2008, the adjutant general of the South Dakota National Guard
9 shall submit a report to the Legislature on the scope and adequacy of training received by
10 members of the armed forces on detecting whether their service as eligible members is likely
11 to entail, or to have entailed, exposure to depleted uranium. The report shall include an
12 assessment of postdeployment training concerning potential exposure to depleted uranium and
13 other toxic chemical substances.

14 Section 4. The provisions of this Act are repealed on June 30, 2008.