



2023 South Dakota Legislature
House Bill 1048
ENROLLED

AN ACT

ENTITLED An Act to repeal and make technical changes to provisions regarding the Board of Military Affairs.

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

Section 1. That § 1-46-6 be REPEALED.

Section 2. That § 33-1-15 be AMENDED:

33-1-15. The adjutant general shall appoint all officers and appointees of the Department of the Military. The adjutant general may employ such clerical and other employees and assistants as the adjutant general deems necessary for the proper transaction of the business of the department and fix their salaries except as otherwise provided by law.

Section 3. That § 33-1-17 be REPEALED.

Section 4. That § 33-1-17.1 be REPEALED.

Section 5. That § 33-1-18 be REPEALED.

Section 6. That § 33-1-19 be REPEALED.

Section 7. That § 33-11-2 be AMENDED:

33-11-2. The Department of the Military shall erect or provide anywhere within the limits of this state, upon terms and conditions determined as most advantageous to the state, armories and other facilities for the use of the National Guard. The armories and other facilities shall be used for drill, meeting, and rendezvous purposes by the unit occupying them and for such other public functions as the officers in charge of the armory or facility deem advisable and proper. The armories and other facilities, if not in use by

the National Guard, shall also be open for meetings and functions of organizations of war veterans and their auxiliary organizations.

Section 8. That § 33-11-3 be AMENDED:

33-11-3. The State of South Dakota, acting through the Department of the Military in participation with the federal government, and any county, municipal corporation, school district, or any department, agency, or board of the state or combination thereof, acting through their governing boards, may cooperate, on such terms as may be agreed to by the Department of the Military and the governing boards of the public corporations or other agencies in the construction, enlargement, conversion, and equipment of the buildings described in § 33-11-2, including acquisition of sites for such buildings, and in the operation, maintenance, and use of such buildings.

Section 9. That § 33-11-10 be AMENDED:

33-11-10. The Department of the Military also constitutes a board for general management and care of armories. The department may promulgate rules pursuant to the provisions of chapter 1-26 for armory management and government and to provide for the guidance of the organization occupying them. The rules, in accordance with federal law and regulation, shall provide:

- (1) Standards and requirements for construction or lease of armory facilities and related furnishings of such facilities;
- (2) Standards and requirements for construction or lease of facilities, other than armories, and related furnishings as required by § 33-11-1;
- (3) Procedures to enter into cooperative agreements with other public agencies pursuant to § 33-11-3;
- (4) Procedures and standards to receive contributions of land, money, buildings, or other property pursuant to § 33-11-6; and
- (5) Standards and procedures governing revenue producing activities undertaken pursuant to § 33-11-12.

Section 10. That § 33-11A-2 be AMENDED:

33-11A-2. An armory or other facility under the control of the Department of the Military may be used for the purpose of § 33-11A-1.

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I certify that the attached Act originated in the:
House as Bill No. 1048

Received at this Executive Office this ____ day of _____, 2023 at _____ M.

Chief Clerk

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2023

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2023 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1048
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State