

HB 1184 -- Redline

Engrossed to Enrolled -- define man and woman throughout the state.

Deletions ~~struck~~ · Insertions underlined

~~26.807.10~~26.807.11 101st Legislative Session 1184 South Dakota Legislature House Bill 1184 ~~HOUSE~~ENROLLED
~~STATEAN AFFAIRSA ENGROSSEDCI Introduced~~ENTITLED by:An Act to define man and woman throughout the state.
~~Representative Hansen An Act to define man and woman throughout the state.~~

~~(4)(5)~~(5) "Compound interest," interest added to the principal as the interest becomes due, and thereafter made to bear interest;

~~(5)(6)~~(6) "Corporate surety," a corporation acting as surety for a principal obligor, and which corporation is duly authorized under the laws of this state to transact business ~~which~~ that involves acting as~~such~~ the surety;

~~(6)(7)~~(7) "Creditor," except as defined and used in chapters 54-1 and 54-9,~~everyone to whom is~~ any person owed the performance of an obligation;

~~(7)(8)~~(8) "Day," the period from midnight to midnight;

~~(8)(9)~~(9) "Debtor," except as defined and used in chapters 54-1 and 54-9,~~everyone who~~ any person that owes to another the performance of an obligation;

~~(9)(10)~~(10) "Decree," the same meaning as the word "judgment";

~~(10)(11)~~(11) "Depose," every mode of written statement under oath or affirmation;

~~(11)(12)~~(12) "Father," a male parent;

~~Overstrikes~~26.807.11 indicate2 deleted1184 language-(14) "Folio," one hundred words, counting every series of figures necessarily used, as a word;

~~26.807.10and 2any 1184portion (14)of "Folio,"a onefolio hundredwhen words,in countingthe everywhole seriesdraft ofor figurespaper necessarilythere used,is asnot a word;complete folio and when there is any excess of the last folio;~~

~~and(15) any "Full-time portionequivalent" ofor "FTE," a folionumber when that indesignates staffing level where one full-time equivalent position is equal to the wholenumber draftof ordays, paperMonday therethrough shallFriday, notin bea isfiscal notyear, multiplied by eight hours per day, including, for purposes of salary computation, a completenine foliomonth andor whenmore thereper shallyear befull-time isteaching anyor excessresearch faculty person, or the equivalent thereof, at the institutions under the jurisdiction of the lastBoard folio;of Regents, and excluding:~~

~~(12)(15) "Full-time equivalent" or "FTE," a number that designates staffing level where one full-time equivalent position is equal to the number of days, Monday through Friday, in a fiscal year, multiplied by eight hours per day.~~

~~The term excludes:~~

~~paid, including, for purposes of salary computation, a nine month or more per year full-time teaching or research faculty person, or the equivalent thereof, at the institutions under the jurisdiction of the Board of Regents, and excluding:~~

~~hours-(b) Hours paid to an employee assigned to a light duty position as approved by the commissioner of human resources and administration due to a temporary partial disability as defined in subdivisionSec. 62-1-1(8);62-1-1;~~

~~hours Sec. 62-1-1;~~

~~hours-(d) Hours paid to patient employees of the institutions under the control of the Department of Human Services or the Department of Social Services and the Department of Veterans Affairs;~~

~~hours-(e) Hours paid to work-study students enrolled in postsecondary educational institutions or postsecondary students employed through internships in the legislative branch, judicial branch, or the executive branch;~~

~~hours-(f) Hours paid to students enrolled in and employed by postsecondary educational institutions;~~

~~and hours-(g) Hours paid to members of boards and commissions pursuant to Sec. 4-7-10.4,4-7-10.4;~~

~~For(16) purposes"Girl," of salary computation a nineminor monthhuman orfemale; more per year full-time teaching or research faculty person, or the equivalent thereof, at the institutions under the jurisdiction of the Board of Regents shall be considered one full-time equivalent;~~

~~(13)(16)(17) "Girl,""Good afaith," minoran humanhonest female;intention to abstain from taking any unconscientious advantage of another, even through the forms or technicalities of law, together with an absence of all information or belief of facts that would render the transaction unconscientious;~~

~~(17)(18) "Good"Indian faith,"tribe," anany honestgovernment intentionof toany abstainIndian fromtribe takingthat anyis unconscientiouslocated advantageeither ofwholly another,or evenpartially throughwithin the formsstate, orhas technicalitiesa ofconstitution law,or togethera withcharter anapproved absenceby the secretary of allthe informationUnited orStates beliefDepartment of factsthe whichInterior, thatand~~

would possess render the transaction powers unconscientious; of self- government;

~~Overstrikes~~ HB1184 indicate ENROLLED deleted 26.807.11 language-3 1184 (19) "Male," an individual who naturally has, had, will have, or would have, but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that produces, transports, and utilizes sperm for fertilization;

~~26.807.10 3 1184 (14)(18) "Indian tribe," any government of any Indian tribe which that is located either wholly or partially within the State of South Dakota and which state, has a constitution or a charter approved by the secretary of the United States Department of the Interior, and which possesses the powers of self-government;~~

~~(15)(19) "Male," an individual who naturally has, had, will have, or would have, but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that produces, transports, and utilizes sperm for fertilization;~~

~~(16)(22)(22) "Mother," a female parent;~~

(23) "Municipality," any municipality organized as provided in ~~Title~~-title 9;

~~(17)(24)(24) "Oath" includes affirmation;~~

~~(18)(25)(25) "Person" includes natural persons, partnerships, associations, cooperative corporations, limited liability companies, and corporations;~~

~~(19)(26)(26) "Personal property" includes money, goods, chattels, things in action, and evidences of debt;~~

~~(20)(27)(27) "Population," the number of inhabitants as determined by the last preceding federal census;~~

~~(21)(28)(28) "Property" includes property, real and personal;~~

~~(22)(29)(29) "Real property" is coextensive with lands, tenements, and hereditaments;~~

~~(23)(30)(30) "Seal" includes an impression of the seal upon the paper alone, as well as upon wax or a wafer affixed to the paper, and also the word "seal" written or printed on such the paper;~~

~~(24)(31)(31) "Several," in relation to number, two or more;~~

~~(25)(32)(32) "Sex," except as used in chapters 22-24A and 22-24B, an individual's biological sex, either male or female;~~

(33) "Signature or subscription" includes mark, if the person cannot write, the person's name being written near ~~such~~-the mark, and written by a person who writes the person's own name as a witness;

~~(26)(34)(34) "State," the State of South Dakota;~~

~~(27)(35)(35) "Testify," every mode of oral statement under oath or affirmation;~~

~~(28)(36)(36) "Third persons" includes all who are not parties to the obligation or transaction concerning which the phrase is used;~~

~~(29)(37)(37) "Township-boards board," the board of supervisors of any organized township;~~

~~Overstrikes(38) indicate "Usual deleted and language-customary," according to usage;~~

~~26.807.10 4 1184 (30)(38) "Usual and customary," according to usage;~~

~~(31)(39) HB1184 ENROLLED 26.807.11 4 1184 (39) "Valuable consideration," value, or a thing of value parted with, or a new obligation assumed at the time of obtaining the thing, which is a substantial compensation for that which is obtained thereby, thereby;~~

~~It(40) is "Verdict" includes not only the verdict of a jury, but also called the simply finding "value"; upon the facts of a judge, or of a referee appointed to determine the issues in a cause;~~

~~(32)(40)(41) "Verdict" "Voter," includes not only the verdict of a jury, person but duly also registered the to finding vote upon the facts of a judge, or of one a who referee is appointed performing to determine the issues act in of avoting; cause;~~

~~(33)(41)(42) "Voter," "Will" includes a person codicil duly registered to vote or one codicils; who is performing the act of voting;~~

~~(34)(42)(43) "Will" "Woman," includes an adult codicil human or female; codicils;~~

~~(35)(43)(44) "Woman," "Writing" an and adult "written" human include female; typewriting and typewritten, printing and printed, words, except in the case of signatures, where the words are used by way of contrast to typewriting and printing, and which may be made in any manner, except that when a person entitled to require the execution of a writing demands that it be made with ink, it must be so made;~~

~~(44) "Writing" and "written"(45) include "Year," typewriting a and calendar typewritten, year. printing and printed, words, except in the case of signatures, and where the words are used by way of contrast to typewriting and printing.~~

~~Writing, and which may be made in any manner, except that when a person entitled to require the execution of a writing demands that it be made with ink, it must be so made;~~

~~and (36)(45) "Year," a calendar year.~~

Each state agency, department, board, commission, ~~institution, political institution, political~~ subdivision, and any other entity exercising state authority shall, in the execution of applicable

duties, strictly adhere to the definitions of "boy," "father," "female," "girl," "male," "man," "mother," "sex," and "woman," as set forth in Sec. 2-14-2.

~~Overstrikes 2-14-3. indicate deleted language.~~

~~26.807.10~~ Notwithstanding 5the 1184provisions 2-14-3 of Sec. 2-14-2, a promissory note is not considered a sealed instrument where the word "seal" is printed thereon.

~~Notwithstanding the provisions of subdivision 2-14-2(23) Sec. 2-14-2, a promissory note shall in no case be deemed or is not considered a sealed instrument where the word "seal" is printed thereon.~~

HB1184 ENROLLED 26.807.11 5 1184 4-7-13.1.

The financial plan adopted by the Legislature as prescribed in Sec. 4-7-13 ~~shall~~ must separate the appropriations for full-time equivalent positions as defined in ~~subdivision 2-14-2(12)~~ Sec. ~~2-14-2, 2-14-2.~~

For the purpose of dividing a municipality into wards, the number of inhabitants is determined by ~~subdivision 2-14-2(20)~~ population, as defined in Sec. 2-14-2.

The governing body may, by resolution, authorize the finance officer to determine the number of inhabitants by filing a certificate showing the number of ~~persons~~ individuals registered to vote in each ward of the municipality.

For the purposes of this section, "FTE" means full-time equivalent as defined in ~~subdivision 2-14-2(12)~~ Sec. 2-14-2.

The initial balance of the FTE demand pool ~~shall be~~ is established by the Legislature and may be replenished each year through the general appropriations act.

The board shall administer the pool ~~in such a way~~ so that any unfunded FTEs are returned to the pool ~~so as to be~~ and available to be drawn for other programs.

~~Overstrikes(3) indicate "Court deleted representative," language.~~ any individual appointed by the court to make investigations and recommendations as provided in this chapter or as otherwise ordered by the court;

~~26.807.10 6 1184 (3) "Court representative," any individual appointed by the court to make investigations and recommendations as provided in this chapter or as otherwise ordered by the court;~~

HB1184 ENROLLED 26.807.11 6 1184 (5) "Interested person," any individual who is the subject of a guardianship or conservatorship proceeding, and any entity, public agency, or other individual with an interest in the proceeding, either generally or as to a particular matter;

~~UnlessAny the context otherwise requires, anyAny~~ reference to a "guardian" includes a "limited guardian," and any reference to a "conservator" includes a "limited ~~conservator.~~" conservator. ~~Any reference to a "conservator" also includes,~~ or a guardian with authority to manage the estate and financial affairs of a minor or protected person who was appointed prior to July 1, 1993.

Any reference to a "person" refers to ~~either an "interested person," a "person alleged to need protection," or a "protected person,"~~ as the context requires, and but does not refer to a "person" as defined in Sec. ~~2-14-2(18), 2-14-2.~~

Every owner, or with written authorization, any other person, as defined ~~by subdivision 2-14-2(18)~~ in Sec. 2-14-2, on behalf of and as the agent for the owner, of a motor vehicle, motorcycle, truck tractor, road tractor, trailer or semitrailer, or recreational vehicle or ~~trailer, trailer which is~~ operated or driven upon the public highways of this state, shall, except as otherwise expressly provided, present to the county treasurer of the owner's county, or, in case of a nonresident of this state, the treasurer of any county, application ~~Overstrikesfor indicate the deleted registration language of that vehicle.~~

~~26.807.10~~ The 7application 1184form formust be furnished by the registrationdepartment of and that contain vehicle at least the following information:

~~The application form shall must be furnished by the department and shall contain but not be limited to at least the following information:~~

HB1184 ENROLLED 26.807.11 7 1184 (4) The make, model, body, year, color, and vehicle identification number of the vehicle;

and (6) The purchase price and the name and address of the seller, buyer, and any ~~lienholder,~~ lienholder. ~~if any.~~

The department or the county treasurer may not accept an incomplete application form or an application form ~~which~~ that the department considers erroneous.

Any person, ~~firm, corporation, or limited liability company,~~ except a licensed vehicle dealer, ~~that~~ which brings into the state or purchases any used or secondhand out-of-state motor ~~vehicles~~ vehicle that is not currently licensed in this state for the purpose of sale or resale, except ~~vehicles~~ a vehicle receiving a junking certificate, a motor ~~vehicles~~ vehicle with a gross vehicle weight rating of over twenty-six thousand pounds, or a semitrailer with a manufacturer's shipping weight of nine thousand pounds or more, shall, within forty-five days from the date of purchase or entry of the motor vehicle into the limits of this state, title the motor vehicle pursuant to chapter 32-3 and pay the excise tax pursuant to chapter ~~32-5B~~ 32-5B, ~~but,~~ provided that the person is not required to license the vehicle.

~~A~~The department shall issue a title for a vehicle titled by a licensed motor vehicle dealer pursuant to this ~~section~~section, ~~shall be issued a title indicating~~, which indicates that no excise tax has been paid.

Upon transfer of the title to a subsequent purchaser of the motor vehicle, the excise tax ~~shall~~ must be paid by the purchaser or by any other person as defined ~~by subdivision 2-14-2(18)~~ in Sec. 2-14-2, on behalf of and as the agent for the purchaser.

~~Overstrikes~~The ~~indicate~~provisions deleted of language, ~~this section do not apply to any motor vehicle titled and licensed in another jurisdiction, which is sold in this state through a dealer's car auction agency licensed under the provisions of chapter 32-6B.~~

~~26.807.10 8 1184 The provisions of this section do not apply to any motor vehicle titled and licensed in another jurisdiction that, which is sold in this state through a dealer's car auction agency licensed under the provisions of chapter 32-6B.~~

~~The~~ Except as otherwise provided, a new owner of a motor vehicle, or with written authorization, any other person, as defined ~~by subdivision 2-14-2(18)~~ in Sec. ~~2-2-14-2, 14-2,~~ on behalf of and as the agent for the new owner, shall present to the county treasurer in the county of the new owner's residence the manufacturer's or importer's statement or certificate of origin or HB1184 ENROLLED 26.807.11 8 1184 the assigned certificate of title and a properly endorsed motor vehicle purchaser's certificate.

The motor vehicle purchaser's certificate ~~shall~~ must be on a form to be furnished by the ~~Department of Revenue~~ department through the county treasurer's office.

The certificate ~~shall~~ must contain a complete description of the motor vehicle, the owner's name and address, the previous owner's name and address, the full purchase price, as defined ~~by~~ in Sec. 32-5B-4, ~~and how computed~~ together with the method of computing the price, the trade-in allowance and description of the trade, if any, and any other relevant information the ~~Department of Revenue~~ department may require.

~~However, for~~ For a motor vehicle licensed and registered pursuant to chapter 32-10, the owner must present to the department the manufacturer's or importer's statement or certificate of origin or an assigned certificate of title and a properly endorsed motor vehicle purchaser's ~~certificate~~certificate. ~~shall be presented to the Department of Revenue.~~

An Indian tribe, as defined in ~~subdivision 2-14-2(14)~~ Sec. 2-14-2, may appoint a veterans' service officer ~~who shall~~ to serve under the same terms and conditions as a county veterans' service officer, as provided for in Sec. Sec. 33A-1-22 to 33A-1-28, inclusive, or may contract with the Department of Veterans Affairs to provide the services of a veterans' service officer pursuant to Sec. 33A-1-24.

~~Such officers shall be known as~~ Any officer appointed or contracted with pursuant to this section is a tribal veterans' service ~~officers~~ officer.

~~Overstrikes~~HB1184 indicate ENROLLED deleted 26.807.11 language 9 1184 An Act to define man and woman throughout the state.

Received at this Executive Office I certify that the attached Act originated in this _____ day of _____, the:

at _____ M.

House as Bill No.

1184 By Chief Clerk of the House for the Governor The attached Act is hereby approved this _____ day of _____ of Speaker of the House _____, A.D., 2026 Attest:

Governor Chief Clerk of the House STATE OF SOUTH DAKOTA, ss.

Office of the Secretary of State President of the Senate Filed _____, 2026 Attest:

at _____ o'clock _____ M.

Secretary of the Senate Secretary of State House Bill No.

1184 By File No.

_____ Asst.

Secretary of State Chapter No.

_____ HB1184 ENROLLED