

AN ACT

ENTITLED, An Act to revise certain record search fees charged by clerks of court.

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

Section 1. That § 16-2-29.5 be amended to read as follows:

16-2-29.5. The clerk of court shall charge a records search fee in the amount of twenty dollars for each record search conducted if the search is requested by a person who is not a party named in the action for which the search is being requested. The clerk shall charge a fee of five dollars if the requesting party certifies that the search is being requested in conjunction with a pending state or federal cause of action. A separate fee shall be charged for each name, whether individual or corporate, for which a search is requested. The clerk shall deposit the fee in accordance with § 16-2-43. The clerk may not charge a records search fee if the search is requested by an attorney of record or any member of the attorney of record's law firm or staff.

Section 2. After June 30, 2017, notwithstanding § 16-2-29.5, the clerk of court shall charge a records search fee in the amount of fifteen dollars for each record search conducted if the search is requested by a person who is not a party named in the action for which the search is being requested.

Section 3. The provisions of this Act shall become effective January 1, 2013.

An Act to revise certain record search fees charged by clerks of court.

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I certify that the attached Act
originated in the
HOUSE as Bill No. 1058

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1058
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,
20__ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State