

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

837W0534

HOUSE JUDICIARY ENGROSSED NO. **HB 1173**
02/09/2015

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Qualm, Anderson, Feickert, Haggar (Don), Klumb, May, Mickelson, Rasmussen, Schoenfish, Stevens, Verchio, and Zikmund and Senators Cammack, Brown, Ewing, Monroe, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding liability of parties
2 involved in frivolous or malicious civil actions.

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

4 Section 1. That § 15-17-51 be amended to read as follows:

5 15-17-51. If a civil, including an action for appeal of a zoning decision, action or special
6 proceeding is dismissed or requested relief is denied and if the court determines that it was
7 frivolous or brought for malicious purposes, the court shall order the party whose claim, cause
8 of action, or defense was dismissed or denied to pay part or all expenses incurred by the person
9 party defending the matter, including reasonable attorneys' fees.

