

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

436P0360

HOUSE STATE AFFAIRS ENGROSSED NO. **HB** **1129** - 1/24/2008

Introduced by: Representatives Cutler, Deadrick, Engels, Feinstein, Gillespie, Hunt, and Lust
and Senators Heidepriem, Knudson, and Turbak Berry

1 FOR AN ACT ENTITLED, An Act to establish the Commission on Equal Access to Our Courts
2 and to make an appropriation therefor.

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

4 Section 1. There is hereby created the Commission on Equal Access to Our Courts. The
5 commission shall consist of seven members appointed as follows:

6 (1) Three members by the Governor, one initially appointed for a term of one year, one
7 initially appointed for a term of two years, and one for a term of three years, as
8 designated by the Governor. The Governor shall appoint members who are not
9 lawyers;

10 (2) Two members appointed by the Chief Justice of the Supreme Court, one initially
11 appointed for a term of two years and one for a term of three years, as designated by
12 the Chief Justice. The Chief Justice shall appoint members who are judges or
13 lawyers;

14 (3) Two members appointed by the president of the State Bar of South Dakota, one



1 initially appointed for a term of one year and one for a term of three years, as
2 designated by the president. The president shall appoint members who are lawyers.

3 Thereafter, each appointment shall be for a term of three years, beginning on the first day
4 of July.

5 Section 2. The Commission on Equal Access to Our Courts shall provide grants to nonprofit
6 entities that are funded, or nonprofit entities contracting with nonprofit entities that are funded,
7 by the Legal Services Corporation and deliver legal services to persons meeting income
8 eligibility guidelines.

9 Section 3. There is hereby appropriated from the general fund the sum of one hundred
10 thousand dollars (\$100,000), or so much thereof as may be necessary, to the Commission on
11 Equal Access to Our Courts as established by this Act.

12 Section 4. The chair of the Commission on Equal Access to Our Courts shall approve
13 vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

14 Section 5. Any amounts appropriated in this Act not lawfully expended or obligated by June
15 30, 2009, shall revert in accordance with the procedures prescribed in chapter 4-8.