

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

817S0285

HOUSE JUDICIARY ENGROSSED NO. **HB 1184**- 2/9/2011

Introduced by: Representatives Gosch, Abdallah, Blake, Brunner, Cronin, Deelstra, Dennert, Elliott, Fargen, Feinstein, Gibson, Haggar, Hansen (Jon), Hoffman, Hubbel, Hunhoff (Bernie), Kirkeby, Liss, Lucas, Magstadt, Miller, Moser, Nelson (Stace), Rausch, Sly, Tornow, Venner, Verchio, Wick, and Wismer and Senators Cutler, Bradford, Kraus, Nelson (Tom), Nygaard, Rampelberg, Rhoden, and Sutton

1 FOR AN ACT ENTITLED, An Act to limit the subrogation of certain insurers unless and until
2 the insured is fully compensated.

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

4 Section 1. That chapter 58-11 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No insurer under this chapter is entitled to participate in any recovery from any tortfeasor
7 on account of bodily injury or death or damage to property unless and until its insured has first
8 been fully compensated as provided in § 21-3-1. The provisions of this Act do not apply to any
9 workers' compensation recovery.

