

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

763T0375

LINE ITEM VETO ENGROSSED NO. **HB 1058** - 3/19/2012

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

Introduced by: The Committee on State Affairs at the request of the Chief Justice

1 FOR AN ACT ENTITLED, An Act to revise certain record search fees charged by clerks of
2 court.

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

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

5 16-2-29.5. The clerk of court shall charge a records search fee in the amount of ~~fifteen~~
6 twenty dollars for each record search conducted if the search is requested by a person who is not
7 a party named in the action for which the search is being requested. The clerk shall charge a fee
8 of five dollars if the requesting party certifies that the search is being requested in conjunction
9 with a pending state or federal cause of action. A separate fee shall be charged for each name,
10 whether individual or corporate, for which a search is requested. The clerk shall deposit the fee
11 in accordance with § 16-2-43. The clerk may not charge a records search fee if the search is
12 requested by an attorney of record or any member of the attorney of record's law firm or staff.

13 Section 2. After June 30, 2017, notwithstanding § 16-2-29.5, the clerk of court shall charge
14 a records search fee in the amount of fifteen dollars for each record search conducted if the



1 search is requested by a person who is not a party named in the action for which the search is
2 being requested.

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