

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

763T0375

HOUSE BILL NO. 1058

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-five dollars for each record search conducted if the search is requested by a person who
7 is not a party named in the action for which the search is being requested. The clerk shall charge
8 a fee of five dollars if the requesting party certifies that the search is being requested in
9 conjunction with a pending state or federal cause of action. A separate fee shall be charged for
10 each name, whether individual or corporate, for which a search is requested. The cost of
11 transmission for the record search results is included in the fee collected pursuant to this section.

12 The clerk shall deposit the fee in accordance with § 16-2-43. The clerk may not charge a records
13 search fee if the search is requested by an attorney of record or any member of the attorney of
14 record's law firm or staff.

