

# State of South Dakota

NINETIETH SESSION  
LEGISLATIVE ASSEMBLY, 2015

837W0534

## HOUSE ENGROSSED NO. **HB 1173** - 02/11/2015

**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 action, including an action for appeal of a zoning decision, 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.

