

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

529B0352

SENATE JUDICIARY COMMITTEE  
ENGROSSED NO. **HB1059** - 2/9/98

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

1 FOR AN ACT ENTITLED, An Act to revise certain statutes regarding residence and voting  
2 qualifications of magistrate judges.

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

4 Section 1. That § 16-12A-5 be amended to read as follows:

5 16-12A-5. A magistrate shall be a qualified elector in the circuit for which ~~he~~ the magistrate  
6 is appointed and shall reside there so long as ~~he~~ the magistrate serves ~~as magistrate~~ in such  
7 capacity. A duly appointed clerk or any deputy clerk who meets the qualifications of a magistrate  
8 may also be appointed and act as a magistrate. Nothing in this section limits the authority of the  
9 Unified Judicial System to temporarily assign a clerk or deputy clerk to serve in another circuit  
10 of this state or limits the jurisdiction of a lay magistrate to act while on temporary duty  
11 assignment in another circuit.

1 **BILL HISTORY**

2 1/14/98 First read in House and referred to Judiciary. H.J. 38

3 1/17/98 Scheduled for Committee hearing on this date.

4 1/17/98 Judiciary Do Pass, Passed, AYES 13, NAYS 0. H.J. 62

5 1/17/98 Judiciary Place on Consent Calendar.

6 1/20/98 Second reading of consent calendar items.

7 1/20/98 Second reading of consent calendar items. H.J. 131

8 1/20/98 House of Representatives Do Pass, Passed, AYES 67, NAYS 0. H.J. 131

9 1/21/98 First read in Senate and referred to Judiciary. S.J. 157

10 2/9/98 Scheduled for Committee hearing on this date.

11 2/9/98 Judiciary Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 377

12 2/9/98 Judiciary Place on Consent Calendar.