

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

555C0047

HOUSE ENGROSSED NO. **HB1003** - 1/26/99

Introduced by: Representatives McNenny, Broderick, Chicoine, Cutler, Diedrich (Larry),
Monroe, Napoli, Pummel, Smidt, and Waltman and Senators Dennert, Brosz,
Madden, and Olson at the request of the Interim Taxation Committee

1 FOR AN ACT ENTITLED, An Act to provide for the recovery of certain expenses in an action
2 brought to court by any governmental subdivision relative to the assessment of property.

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

4 Section 1. That chapter 10-11 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The circuit court shall award disbursements, including reasonable attorneys' fees, in an action
7 brought to circuit court pursuant to chapter 10-11 by any governmental subdivision relative to
8 the assessment of property, if the governmental subdivision does not prevail in its appeal of the
9 property assessment.

10 Section 2. That chapter 10-11 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 On motion, the Supreme Court may award reasonable attorneys' fees in an action brought
13 to the Supreme Court pursuant to chapter 10-11 by any governmental subdivision relative to the
14 assessment of property, if the governmental subdivision does not prevail in its appeal of the
15 property assessment. The motion shall be accompanied by counsel's verified itemized statement

1 of costs incurred and legal services rendered.

1 **BILL HISTORY**

2 1/12/99 First read in House and referred to Judiciary. H.J. 32

3 1/22/99 Scheduled for Committee hearing on this date.

4 1/22/99 Judiciary Do Pass Amended, Passed, AYES 11, NAYS 2. H.J. 122

5 1/26/99 Motion to Amend, Passed, AYES 45, NAYS 23. H.J. 199

6 1/26/99 House of Representatives Do Pass Amended, Passed, AYES 46, NAYS 22. H.J. 199