

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

439C0507

HOUSE BILL NO. 1071

Introduced by: Representatives Brown (Jarvis) and Crisp and Senator Moore

1 FOR AN ACT ENTITLED, An Act to revise the residency requirement for magistrate judges.

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

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

4 16-12A-5. ~~A magistrate shall be a qualified elector in the circuit for which the magistrate is~~
5 ~~appointed and shall reside there so long as the magistrate serves in such capacity.~~ A duly
6 appointed clerk or any deputy clerk who meets the qualifications of a magistrate may also be
7 appointed and act as a magistrate. ~~Nothing in this section limits the authority of the Unified~~
8 ~~Judicial System to temporarily assign a~~ Any clerk or deputy clerk ~~to serve in another circuit who~~
9 has been appointed a lay magistrate has authority to act as such in any circuit of this state ~~or~~
10 ~~limits the jurisdiction of a lay magistrate to act while~~ if placed on temporary duty assignment in
11 another circuit.