

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

555C0048

SENATE BILL NO. 2

Introduced by: Senators Brosz, Dennert, Madden, and Olson and Representatives Diedrich (Larry), Broderick, Chicoine, Pummel, and Smidt 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 by any governmental subdivision relative to the assessment, allocation, or
3 distribution of centrally assessed property.

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

5 Section 1. That chapter 10-38 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 The sixth judicial circuit court may award a reasonable sum to reimburse a utility for
8 expenses, including attorneys' fees, in an action brought to court pursuant to chapter 10-38 by
9 any governmental subdivision relative to the assessment, allocation, or distribution of property
10 if the governmental subdivision does not prevail in its appeal of the property assessment,
11 allocation, or distribution.

12 Section 2. That chapter 10-38 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 The Supreme Court may award a reasonable sum to reimburse a utility for expenses,
15 including attorneys' fees, in an action brought to the Supreme Court pursuant to chapter 10-38
16 by any governmental subdivision relative to the assessment, allocation, or distribution of property

- 1 if the governmental subdivision does not prevail in its appeal of the property assessment,
- 2 allocation, or distribution.