

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

555C0048

SENATE TAXATION COMMITTEE

ENGROSSED NO. **SB2** - 1/30/99

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

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 an appellant relative to the assessment, allocation, or distribution of centrally
3 assessed property.

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

5 Section 1. The sixth judicial circuit court may award reasonable disbursements, including
6 attorneys' fees, in an action brought to court pursuant to chapter 10-38 against any appellant
7 relative to the assessment, allocation, equalization, or distribution of property if the appellant
8 does not prevail in its appeal of the property assessment, allocation, equalization, or distribution.

9 Section 2. On motion, the Supreme Court may award reasonable attorneys' fees in an action
10 brought to the Supreme Court pursuant to chapter 10-38 against any appellant relative to the
11 assessment, allocation, equalization, or distribution of property if the appellant does not prevail
12 in its appeal of the property assessment, allocation, equalization, or distribution. The motion shall
13 be accompanied by counsel's verified itemized statement of costs incurred and legal services
14 rendered. No award for attorney's fees may be made for or against the State of South Dakota
15 in the Supreme Court.

1 **BILL HISTORY**

2 1/12/99 First read in Senate and referred to Taxation. S.J. 15

3 1/15/99 Scheduled for Committee hearing on this date.

4 1/15/99 Taxation Do Pass Amended, Failed, AYES 4, NAYS 2.

5 1/15/99 Taxation Deferred to another day.

6 1/20/99 Taxation Do Pass Amended, Passed, AYES 9, NAYS 0. S.J. 126

7 1/20/99 Scheduled for Committee hearing on this date.

8 1/21/99 Taxation Hog Housed.

9 1/22/99 Referred to Taxation. S.J. 164

10 1/29/99 Scheduled for Committee hearing on this date.

11 1/29/99 Taxation Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 250