

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

718C0028

## HOUSE JUDICIARY COMMITTEE ENGROSSED NO. **SB76** - 2/4/99

Introduced by: Senator Daugaard and Representative Fiegen

1 FOR AN ACT ENTITLED, An Act to constitute corporate acknowledgment as prima facie  
2 evidence of authority to execute certain documents.

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

4 Section 1. That § 43-25-21 be amended to read as follows:

5 43-25-21. The corporate seal of any corporation attached to a deed, mortgage, assignment  
6 of mortgage, release of mortgage, or other ~~instruments~~ instrument executed and acknowledged  
7 by any officer of such corporation ~~shall be~~ is prima facie evidence that such officer was duly  
8 authorized to execute such instrument on behalf of such corporation. Likewise, a corporate  
9 acknowledgment attached to or made part of any deed, mortgage, assignment of mortgage,  
10 release of mortgage, or other instrument executed by any officer of such corporation, except as  
11 provided in § 51A-4-11, is prima facie evidence that such officer was duly authorized to execute  
12 such instrument on behalf of such corporation.

1 **BILL HISTORY**

2 1/21/99 First read in Senate and referred to Judiciary. S.J. 144

3 1/27/99 Scheduled for Committee hearing on this date.

4 1/27/99 Judiciary Do Pass, Passed, AYES 7, NAYS 0. S.J. 208

5 1/27/99 Judiciary Place on Consent Calendar.

6 1/28/99 Senate Do Pass, Passed, AYES 34, NAYS 0. S.J. 235

7 1/29/99 First read in House and referred to Judiciary. H.J. 272

8 2/3/99 Scheduled for Committee hearing on this date.

9 2/3/99 Judiciary Do Pass Amended, Passed, AYES 13, NAYS 0. H.J. 343

10 2/3/99 Judiciary Place on Consent Calendar.