

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

772C0581

SENATE BILL NO. 202

Introduced by: Senator Bogue and Representative Wetz

1 FOR AN ACT ENTITLED, An Act to revise the venue provisions relating to administrative
2 appeals.

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

4 Section 1. That § 1-26-31.3 be amended to read as follows:

5 1-26-31.3. The circuit court to which the appeal is first taken may, for convenience of
6 witnesses and production of evidence upon good cause shown and upon such terms or provisions
7 for expense as it may deem reasonable in favor of any party objecting, and on application and
8 notice within ~~five~~ thirty days after the appeal is taken, change the venue to the circuit court for
9 any other county.

10 Section 2. That § 10-11-43 be amended to read as follows:

11 10-11-43. An appeal from the Office of Hearing Examiners to circuit court may be taken by
12 the parties to the appeal and intervenors before the Office of Hearing Examiners. The appeal
13 shall be taken and conducted pursuant to the provisions of chapter 1-26.

14 The venue of the appeal shall be in the circuit court for the county in which the property
15 subject to the appeal is situated or in the circuit court for Hughes county.