

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

559I0574

SENATE BILL NO. 210

Introduced by: Senators Sutton (Duane), Apa, Dennert, Greenfield, and Napoli and
Representatives Novstrup, Frost, and Hennies

1 FOR AN ACT ENTITLED, An Act to allow six member juries in civil actions.

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

3 Section 1. That § 15-14-27 be amended to read as follows:

4 15-14-27. In all civil actions cognizable by a magistrate judge, ~~except actions for the forcible~~
5 ~~entry and detainer, or detainer only, of real property, or~~ tried in the circuit court, the jury shall
6 consist of six jurors. The verdict may be rendered by five-sixths of the jury in the manner
7 provided in §§ 15-14-28 and 15-14-29. However the parties may stipulate that the jury may
8 consist of a number greater than six but not more than twelve pursuant to § 15-6-48.

9 Section 2. That § 15-6-48 be amended to read as follows:

10 15-6-48. The parties may stipulate that the jury shall consist of any number ~~less than~~ greater
11 than six but not more than twelve or that a verdict or a finding of a stated majority of the jurors
12 shall be taken as the verdict or finding of the jury.

