

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

400J0420

HOUSE BILL NO. 1068

Introduced by: The Committee on Appropriations at the request of the Bureau of Administration

1 FOR AN ACT ENTITLED, An Act to establish a fund for the payment of extraordinary
2 litigation expenses, to make an appropriation therefor, and to declare an emergency.

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

4 Section 1. There is established in the state treasury the extraordinary litigation fund. The
5 fund shall be maintained separately and administered by the Bureau of Administration. The fund
6 may be used for plaintiff attorney fee awards, retention of outside counsel, or other
7 extraordinary litigation expenses not otherwise eligible to be paid under § 3-22-1. Unexpended
8 money and any interest that may be credited to the fund shall remain in the fund. The
9 extraordinary litigation fund is hereby continuously appropriated and shall be budgeted through
10 the informational budget process. The creation and funding of this fund does not constitute a
11 waiver of the state's sovereign immunity.

12 Section 2. There is hereby appropriated from the general fund the sum of one million two
13 hundred thousand dollars (\$1,200,000) to the extraordinary litigation fund for payment of
14 eligible expenses.

15 Section 3. The commissioner of the Bureau of Administration shall approve vouchers for



1 payment of extraordinary expenses and the state auditor shall draw warrants to pay expenditures
2 authorized by this Act.

3 Section 4. Whereas, this Act is necessary for the support of the state government and its
4 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
5 full force and effect from and after its passage and approval.