

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

637N0107

## HOUSE BILL NO. 1098

Introduced by: The Committee on Judiciary at the request of the Chief Justice

1 FOR AN ACT ENTITLED, An Act to revise the jurisdiction of certain magistrate courts.

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

3 Section 1. That § 16-12B-8 be amended to read as follows:

4 16-12B-8. A magistrate court with a magistrate judge presiding has concurrent jurisdiction  
5 with the circuit courts:

6 (1) To accept defaults for petty offenses;

7 (2) To try contested cases involving a petty offense;

8 (3) To take pleas of guilty, not guilty, nolo contendere for any criminal offense; or

9 (4) To take pleas of guilty, not guilty, nolo contendere for violation of any ordinance,  
10 bylaw, or other police regulation of a political subdivision;

11 if the punishment is a fine not exceeding ~~one~~ two thousand dollars or imprisonment for a period  
12 not exceeding one year, or both such fine and imprisonment and to impose sentence upon a plea  
13 of guilty or nolo contendere. Acceptance of not guilty or nolo contendere pleas shall be in  
14 accordance with §§ 23A-7-2 and 23A-7-8, as applicable.

