

AN ACT

ENTITLED, An Act to make an appropriation to the Unified Judicial System court automation fund and revise certain record search fees charged by clerks of court.

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

Section 1. There is hereby appropriated from the general fund the sum of one dollar (\$1), or so much thereof as may be necessary, to the Unified Judicial System court automation fund created in § 16-2-38 for costs related to the court automation system.

Section 2. The Chief Justice shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Section 3. Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8.

Section 4. That § 16-2-29.5 be amended to read as follows:

16-2-29.5. The clerk of court shall charge a records search fee in the amount of twenty dollars for each record search conducted if the search is requested by a person who is not a party named in the action for which the search is being requested. The clerk shall charge a fee of five dollars if the requesting party certifies that the search is being requested in conjunction with a pending state or federal cause of action. A separate fee shall be charged for each name, whether individual or corporate, for which a search is requested. The clerk shall deposit the fee in accordance with § 16-2-43. The clerk may not charge a records search fee if the search is requested by an attorney of record or any member of the attorney of record's law firm or staff.

Section 5. After June 30, 2017, notwithstanding § 16-2-29.5, the clerk of court shall charge a records search fee in the amount of fifteen dollars for each record search conducted if the search is requested by a person who is not a party named in the action for which the search is being requested.

Section 6. The provisions of this Act shall become effective January 1, 2013.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1058

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President Pro Tempore of the
Senate

Attest:

Secretary of the Senate

House Bill No. 1058
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State