



2022 South Dakota Legislature

House Bill 1293

Introduced by: **Representative Healy**

1 **An Act to limit liability for certain child welfare agency licensees.**

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

3 **Section 1. That chapter 21-3 be amended with a NEW SECTION:**

4 In a tort action against an entity licensed as a child welfare agency under
5 subdivision 26-6-14(4), or against any officer, director, or employee of the entity, to
6 recover damages for injury or loss to a person or property arising out of any act or
7 omission within the scope of the entity's license, an award of damages may not exceed
8 one million dollars, exclusive of interest from the date of judgment. If the limit on total
9 damages under this section is determined to be unconstitutional, the limit only applies to
10 noneconomic damages.