



2023 South Dakota Legislature

House Bill 1040

Introduced by: **Representative Blare**

1 **An Act to reduce the time in which certain civil actions may be commenced.**

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

3 **Section 1. That § 15-2-14 be AMENDED:**

4 **15-2-14.** Except where, in special cases, a different limitation is prescribed by
 5 statute, the following civil actions other than for the recovery of real property ~~can~~ may be
 6 commenced only within ~~three years~~ one year after the cause of action shall have accrued:

- 7 (1) An action against a sheriff, coroner, or constable upon a liability incurred by the
 8 doing of an act in ~~his~~ the officer's official capacity and in virtue of ~~his~~ the office, or
 9 by the omission of an official duty, including the nonpayment of money collected
 10 upon an execution. But this subdivision shall not apply to an action for an escape;
- 11 (2) An action upon a statute for a penalty or forfeiture where the action is given to the
 12 party aggrieved, or to such party and the state except where the statute imposing
 13 it prescribes a different limitation; or
- 14 (3) An action for personal injury.