



2026 South Dakota Legislature

House Bill 1179

SENATE JUDICIARY ENGROSSED

Introduced by: **Representative** Mortenson

1 **An Act to modify provisions related to the reimbursement fee for preparation of a**
 2 **garnishment disclosure.**

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

4 **Section 1. That § 21-18-9 be AMENDED:**

5 **21-18-9.** If a garnishee summons, affidavit, and garnishment disclosure is served,
 6 upon receipt by the plaintiff of the garnishee's garnishment disclosure of liability provided
 7 for in § 21-18-27, the garnishee ~~shall~~ must be paid the sum of ~~fifteen~~ forty dollars to
 8 reimburse the garnishee for the expense of preparing the garnishment disclosure, which
 9 sum ~~shall~~ must be taxed as a part of the plaintiff's costs. If the garnishee is not paid, the
 10 garnishment proceeding is void. The return of service of the garnishee summons ~~shall~~
 11 must include a statement that the sum was paid. The garnishment disclosure ~~shall~~ must
 12 be returned to the plaintiff and filed with the court.