

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

289B0566

## HOUSE BILL NO. 1070

Introduced by: Representatives Johns, Barthel, and Rasmussen and Senators Kennedy,  
DiSanto, Rusch, and Stalzer

1 FOR AN ACT ENTITLED, An Act to revise the procedure for judgment by confession.

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

3 Section 1. That § 21-26-1 be amended to read:

4 21-26-1. A judgment by confession may be ~~entered without action~~ docketed, either for  
5 money due or to become due, or to secure any person against contingent liability on behalf of  
6 the defendant, or both, in the manner prescribed by this chapter.

7 Section 2. That § 21-26-5 be amended to read:

8 21-26-5. The defendant's verified statement shall be presented to the court or a judge thereof,  
9 and if, after notice and hearing, which may not be waived, it is found sufficient, the court or  
10 judge shall render judgment accordingly, whereupon it may be filed in the office of the clerk  
11 who shall docket it.

