

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

400A0806

SENATE STATE AFFAIRS COMMITTEE

ENGROSSED NO. **HB1272** - 2/25/97

Introduced by: The Committee on State Affairs at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to provide a civil cause of action for barratry and to institute
2 a procedure for the assertion of a claim of barratry.

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

4 Section 1. Barratry is the assertion of a frivolous or malicious claim or defense by a party in
5 a civil action under Title 15. Barratry constitutes a cause of action which may be asserted by
6 filing a pleading in the same civil action in which the claim of barratry arises. A claim of barratry
7 shall be determined in the same manner as any other substantive cause of action asserted in that
8 civil action.

1 **BILL HISTORY**

2 2/4/97 First read in House and referred to State Affairs. H.J. 298

3 2/14/97 Scheduled for Committee hearing on this date.

4 2/14/97 State Affairs Do Pass, Passed, AYES 11, NAYS 2. H.J. 482

5 2/15/97 Deferred to another day. H.J. 522

6 2/18/97 Deferred to another day. H.J. 553

7 2/19/97 Motion to Amend, Passed. H.J. 578

8 2/19/97 House of Representatives Do Pass Amended, Passed, AYES 50, NAYS 17. H.J. 578

9 2/20/97 First read in Senate and referred to State Affairs. S.J. 573

10 2/24/97 Scheduled for Committee hearing on this date.

11 2/24/97 State Affairs Do Pass Amended, Passed, AYES 9, NAYS 0. S.J. 594